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Worthies of All Souls;

FOUR CENTURIES OF ENGLISH HISTORY

ILLUSTRATED FROM THE COLLEGE ARCHIVES.

BY

MONTAGU BURROWS,

CHICHELE PROFESSOR OF MODERN HISTORY IN THE UNIVERSITY OF OXFORD

AND

FELLOW OF ALL SOULS.

1933

London

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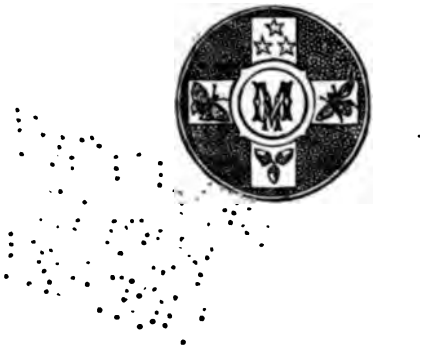


OXFORD:

BY E. PICKARD HALL AND J. H. STACY,

PRINTERS TO THE UNIVERSITY.

To

His Grace, the Visitor,

The Warden,

and

The Fellows

of

All Souls College, Oxford,

the following pages

are respectfully dedicated.

PREFACE.

THERE are many reasons for and against exposing to the public the inner history of an institution like the College of All Souls. Those against such an attempt can only be answered by a perusal of the book. Those in its favour may be briefly summed up thus:—

In general, every public institution or even private family of importance may probably make some valuable contributions to history. At this moment the Historical Manuscript Commission is pushing its researches into every private library in Great Britain. It is now very generally understood that too much of what has hitherto passed for history will not bear the close investigation of these scientific days, and even the smallest rill from a fresh source may be acceptable.

In particular, All Souls cannot but have something to say. The greatest statesman and ecclesiastic of his day was its Founder; successive Primates of All England have been its Visitors. Their voluminous correspondence suggests some fresh material for the Lives of the Archbishops. A King was the co-Founder of the College. It will be seen in the following pages how hard a battle All Souls had to fight in subsequent ages in order to keep the hands of the 'holy Henry's' successors—many of them anything but holy—off its revenues. Simple, unsuspected facts bring out many a touch of character in these exalted personages. Lastly, the College has nourished or sheltered illustrious

men of whom it may well be proud. Some of them have been sadly misrepresented, some too little noticed in history.

These considerations seemed to justify the attempt to lift the subject above the level of a mere dry record of events, interesting to none but antiquarians. The conception of the work was however due to an accident which, though trivial in itself, it may possibly be worth while to relate in this place.

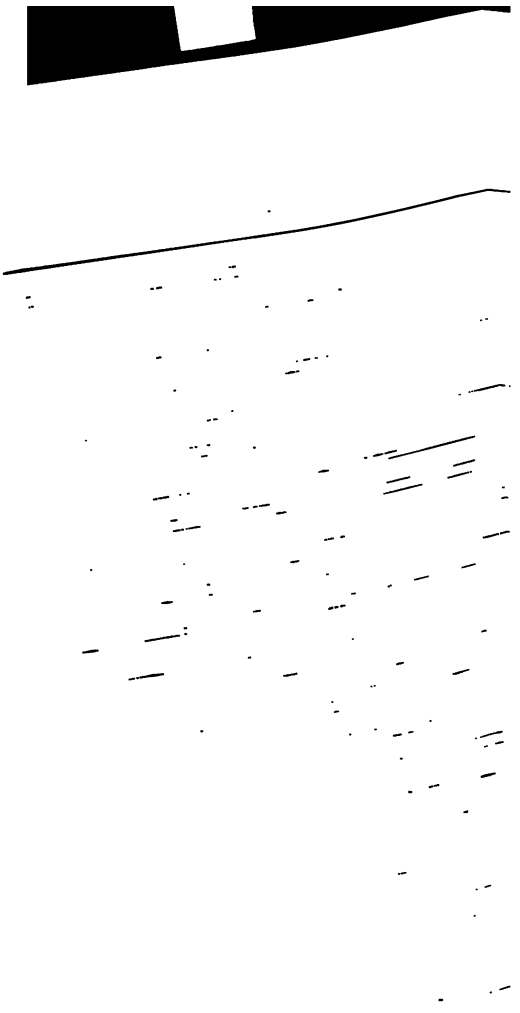
The Chapel of the College had fallen into a dilapidated condition. A thorough repair was necessary; and a thorough repair brought the question to a point;—Should the work of Sir Christopher Wren's school, the elaborate Italian decorations which had completely concealed and transformed the ancient Gothic, be repaired, re-painted and re-gilded?—or should there be a thorough restoration to the condition in which the Chapel was left by Archbishop Chichele and his immediate successors? The discovery of the ruins of the ancient Reredos, reaching from floor to ceiling, a discovery as unexpected—to compare small things with great—as the sculptures of Nineveh, settled the question. Lord Bathurst, the Senior Fellow, munificently undertook the renewal of this great work, and, piece by piece, the interior of the Chapel is now, under the judicious hands of Sir Gilbert Scott, undergoing restoration to its original condition.

The writer of these pages, in the autumn of 1871, happened to be on the roof-scaffolding at the very moment when the suspicion that there might be something concealed behind Sir James Thornhill's fresco of the Apotheosis of Chichele became a certainty. The removal of Mengs' picture had already afforded a glimpse of the ruins of two ancient niches for statues. The workmen were now scraping off the plaster from the eastern collar-beam; and, letter by letter, there began to appear on a faded gilt ground the famous words,—*Surgite mortui, venite ad judicium.* The character of the letters left no doubt as to their date. It was that of the Founder!

There was something suggestive, not to say weird-like, in suddenly finding oneself standing face to face in this manner with an unsuspected past. It would be too much to say that the scheme of this little work dated from that moment; but it would not be far from the truth. Not the slightest tradition had survived that the modernized east end, with its fine fresco, its handsome marble entablature, and its well-known picture of the *Noli me tangere,* concealed anything behind it save a bare wall. On the removal of all this modern work one of the finest achievements, perhaps the finest, of the fifteenth century stood revealed! The attempt to unravel the history of these transformations led to a search of the College Archives, which revealed a past all but equally unknown and unsuspected by the present generation.

How to give a faithful sketch of that College history of more than four centuries without descending to wearisome details, and at the same time to throw into a form convenient to the general reader the illustrations it afforded of the history of the nation, was the problem which gradually presented itself. How far it has been solved others must judge.

With very few exceptions the documents, or rather extracts, which follow have been hitherto unpublished. Gutch, the well-known Editor of Anthony Wood (whose edition is used throughout these pages), was a Chaplain of the College, and added some notices from its Archives to Wood's account of All Souls; he also published some interesting papers from the Archives in his 'Collectanea Curiosa.' Reference has been gratefully made to these in their proper place; but he merely skimmed the surface,—and that of the early period alone,—his object not being to produce anything in the shape of a history. Nothing of that sort exists, nor are the materials for a large part of it to be found in the College. The numerous collections of pamphlets and letters in the public libraries of Oxford and London, especially in the Bodleian, have supplied, to some extent, what was wanting for that portion. It so happens also that the



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great antiquarian Hearne was the next best thing to a zealous lover of All Souls, since he was, for well-known reasons, a special hater of the College; and consequently we can pick out some useful matter from his voluminous Diary, which fills 145 volumes.

It would be unpardonable in the writer not to notice in this place the valuable aid which has been generously afforded him by several friends towards the completion of the following historical sketch. At the head of these he must name the Rev. Dr. Leighton, the Warden of All Souls, whose never-failing kindness, shown in many ways with reference to this undertaking, has added one more to his numerous claims on the gratitude of the writer. From the Rev. W. Stubbs, the Regius Professor of Modern History in the University of Oxford, he has once more experienced the kindness of a true friend and judicious critic. To the officers of the Bodleian, Lambeth, and Christ Church Libraries, he desires to render his special thanks; and he would mention Mr. W. H. Turner, of the former Library, by name, whose suggestions as to sources of information have been eminently useful. Nor should Mr. Etheridge, the Sub-Librarian of the Codrington Library, be omitted, since he has spared no pains to ransack, in the writer's service, the treasures committed to his charge.

All Souls, February, 1874.

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A.D.	A.D.	A.D.
1413 Henry V.		
1422 Henry VI.	1414 Henry Chichele.	
		1437 Richard Andrewe.
		1442 Roger Keyes.
	1443 John Stafford.	
		1445 William Kele.
	1452 John Kemp (Cardinal).	
	1454 Thomas Bourchier (Cardinal).	
		1459 William Poteman.
1461 Edward IV.		
		1466 John Stokys.
1483 Edward V.		
1483 Richard III.		
1485 Henry VII.		
	1486 John Morton (Cardinal).	
		1494 Thomas Hobbys.
	1501 Henry Deane.	
	1503 William Warham.	1503 William Broke.
1509 Henry VIII.		
		1525 John Coale.
		1526 Robert Woodward.
	1533 Thomas Cranmer.	1533 Roger Stokely.
		1536 John Warner.
1547 Edward VI.		
1553 Mary.		1555 Seth Holland.
	1556 Reginald Pole (Cardinal).	
		1558 John Pope.
1558 Elizabeth.	1559 Matthew Parker.	1558 John Warner (again).
		1565 Richard Barber.
		1571 Robert Hoveden.
	1576 Edmund Grindal.	
	1583 John Whitgift.	
1603 James I.	1604 Richard Bancroft.	
	1611 George Abbot.	
		1614 Richard Moket.
1625 Charles I.		1618 Richard Astley.
	1633 William Laud.	
		1635 Gilbert Sheldon.
		1648 John Palmer (or Vaux, pseudo-custos).
	(See vacant 16 years.)	
1649 Commonwealth.		
1660 Charles II.	1660 William Juxon.	1660 Gilbert Sheldon (restored).

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SOVEREIGNS.	ARCHBISHOPS OF CANTERBURY.	WARDENS OF ALL SOULS.
	A.D.	A.D.
	1663 Gilbert Sheldon.	1660 John Meredith.
	1678 William Sancroft.	1665 Thomas Jeames.
5 James II.		1686 Hon. Leopold W. Finch.
9 William and Mary.	1691 John Tillotson.	
4 William III.	1694 Thomas Tenison.	
		(1698 Finch admitted and installed afresh).
2 Anne.		1702 Bernard Gardiner.
4 George I.	1715 William Wake.	1726 Stephen Niblett.
7 George II.	1737 John Potter.	
	1747 Thomas Herring.	
	1757 Matthew Hutton.	
0 George III.	1758 Thomas Secker.	
	1763 Frederick Cornwallis.	1766 John Lord Visct. Tracy.
	1783 John Moore.	1793 Edmund Isham.
0 George IV.	1805 Charles M. Sutton.	1817 Hon. Edward Legge.
0 William IV.	1828 William Howley.	1827 Lewis Sneyd.
7 Victoria.	1848 John B. Sumner.	
	1862 Charles T. Longley.	1858 Francis K. Leighton.
	1868 Archibald C. Tait.	

WORTHIES OF ALL SOULS.

CHAPTER I.

Introduction.

ERRATA.

p. 26, l. 24, *for* 'Robert' *read* 'John' Druel.
p. 40, l. 4, *for* 'Katharine' *read* 'Catharine.'
p. 115, l. 3, *after* 'Faversham' *read* 'founded by Warden Coale.'
p. 143, l. 22, *for* 'Kennet' *read* 'Kennett.'
p. 152, l. 16, *for* '1607' *read* '1603.'
p. 257, note 1, *for* '134. 165' *read* '134. 96, 149.'

the profanation and to reform. Reserving for the next chapter some remarks on this great man, we shall perhaps better understand what was in his mind if we try to place ourselves for a moment in his position at the time when he contemplated the foundation of All Souls.

England has seldom been in a more depressed condition than at this period. For the second time she had made an effort beyond her strength, and was suffering from the consequent exhaustion. For the second time she had all but conquered France, and then discovered that there was no one to continue the work which had been so gloriously begun. The death of the great Duke of Bedford in 1435, broken-

WORTHIES OF ALL SOULS.

CHAPTER I.

Introduction.

The state of England and of Oxford when Archbishop Chichele founded All Souls College.

All Soulen, Alsoulne, Alsolne, or, as it has been called in modern times, All Souls College, was founded by Archbishop Chichele in 1437. In 1443 it was opened with all pomp by the Founder, assisted by four of his suffragans. The consecration of the Chapel and delivery of the Statutes to the Warden were almost the last acts of the aged prelate. This was the form in which he left his last message to the country which he had so conspicuously served, to the University which he had so earnestly attempted to raise up from its prostration and to reform. Reserving for the next chapter some remarks on this great man, we shall perhaps better understand what was in his mind if we try to place ourselves for a moment in his position at the time when he contemplated the foundation of All Souls.

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hearted at the Treaty of Arras, and the final defection of Burgundy, had at last brought about what the shock of the death of the mighty victor of Agincourt and the apparition of the Maid of Orleans had failed to effect;—it aroused the country from that Imperial dream, premature by many centuries, in which it had for so long a time delighted to indulge. The nation was no doubt far more torn to pieces and perceptibly harassed during the Wars of the Roses or the struggles of the 'Great Rebellion,' but scarcely perhaps so miserable as now. Those were times of action, of hope, of conflict of principles, real or supposed; and no people take to fighting, when they have once got over the first effort, so readily as the English. But an air of dull hopelessness shrouds the early manhood of Henry the Sixth; there was no one who imagined a bright future to be in store for him; scarcely even at a later date when his marriage seemed to have secured him a happy home,—for the brilliant Margaret was the child of a faction from the first,—and the presentiment of coming disasters was vivid and overpowering.

England had never before mounted so high; she had never before appeared on the way to fall so low. She had bought at a high price the success which her last monarch's splendid capacities for war and politics had achieved. That most gallant and accomplished band of royal brothers, Henry, Bedford, and Clarence, the noble Salisbury, the peerless Talbot, might offer the highest types of soldiers or statesmen then known to Europe; a Hallam and an Abendon might shew the assembled Doctors of the West what the home of Duns Scotus and Ockham could produce when its literary energies were directed into the channels of Church reform; a Cardinal Beaufort might astonish the world with his wealth, his versatile abilities, and the true English courage which taught him to stand his ground against the fanatical Bohemians, when the chivalry of the Empire basely fled, leaving him and his little band deserted on the bloody

field[1]. But the penalty was too surely exacted from the next generation. Few pages of English history are more painful than those which record the lingering retreat of the enfeebled conquerors from the country they had so shockingly injured, the growing bitterness and barbarity of the internecine conflict, the disgraceful desertion of the gallant men on whom it fell to fight out the battle to the last. The nation had lost all heart, all sense of political responsibility, and stood still, sullenly gazing at the factions of the Court; but the ever-increasing murmurs of discontent were only too plain a prelude to subsequent events. The dynastic conflict of York and Lancaster was only one out of many causes of the Wars of the Roses,—causes which lay much deeper. They had their root in the factious struggles of Beaufort and Gloucester, in the general sense of disgrace and misery, in the various convulsive effects of the expulsion from France, in the resolution of English patriotism to submit to no government which did not support the honour of England at home and abroad. It did not require much penetration to see that the sword of conquest was about to be replaced by the dagger of civil war.

Nor was the ecclesiastical prospect more encouraging. The dreams of the enthusiastic conqueror had included not only a new Empire of the West, but a reformed Church and a recovered Jerusalem. Henry the Fifth had sent his emissaries to report on the best port in the East for landing his troops. What stain there was on the Lancastrian escutcheon should be wiped out by the final overthrow of the Moslem, and the peaceful resettlement of a reformed Christendom in all her ancient seats. Nor are there wanting judicious writers of our own day who believe that such prospects were not altogether visionary. Never did great events appear more imminent than when the heroic King, in the pride of his manhood, and with a promise of success

[1] Milman's Latin Christianity, vol. vi. p. 249.

not unlike that which beamed on Alexander the Great, was struck down by a fatal disease at Paris.

But the reform of the Church had appeared to be far more than a day-dream. It seemed on the point of being realised. England had for the first time established an equal place for herself with other nations in the Councils of Europe, and she exercised an influence which no other nation had an equal moral right to claim,—not that of might, but that arising from her unique, persistent, and most ancient resistance to the tyranny of Rome. Well might she lead the way. Well might Sigismund, the Emperor so-called, in the period of his reforming zeal, make use of the great Bishop of Salisbury as his right-hand man! But how transient had this bright prospect been! Even before Henry was dead, the new Pope saw a way out of the pit in which the Papacy had been so nearly engulfed. Playing off one 'nation' against the other, 'escaping with the skin of their teeth' he and his successors recovered not only their old position, but, as far as England was concerned, much more. When the conqueror no longer stood in the way, a fixed resolution was taken to bring England under the same yoke as the Continent. She should pay the penalty of the danger to which she had been one chief means of exposing Rome. She was now absorbed into the Papal system; she now suffered under a 'Papal aggression' such as her kings, her clergy, and her nobles had hitherto resisted with the most persistent resolution. She must be made to bend like the rest; and she bent accordingly—for a time. It was a humiliation which cut Englishmen to the heart. It was an infraction of their ancient laws. It was by no means a remote cause of the Reformation.

The Universities of Oxford and Cambridge presented as usual no unfaithful picture of the nation. They were the centres of the intellectual and religious struggles of the day; they shared in the rise and fall of the national prosperity, the action and reaction of Ultramontane Papalism and revo-

lutionary Lollardism. The supporters of the last-named movement had been indeed nearly extinguished in Oxford during the reigns of Richard the Second and Henry the Fourth. Every possible agency had been brought to bear upon them from high places, and with success; but the marks of the storm were apparent enough. The patrons of English livings looked less and less to the Universities for incumbents. The Friars who had repelled their assailants stepped into the place of prominence; the law was no longer exclusively in the hands of University-bred ecclesiastics; the camp carried off to a more promising sphere of action the eager youth who had hitherto made Oxford and Cambridge the stepping-stones to an honest livelihood; the disorderly life of the great mass of the students had become all the more conspicuous by the light of the Collegiate system which as yet only illumined a small portion of the University.

We are apt to forget how very different an aspect such a place as Oxford presented to the eye as well as to the mind, in the early part of the fifteenth century, from what we have been accustomed to witness in modern times. We little measure what a change was effected even as lately as the time of Charles the Second, when the walls of the city were levelled to the ground, the encircling fosse filled in, the old gateways destroyed (except Bocardo, which lingered on for another century,) the ancient Norman castle finally dismantled, the avenues and gardens planted, the ruined mediæval structures replaced by modern buildings.

Far more does it demand the aid of imagination to picture to ourselves the external aspect of the Oxford of more than two centuries earlier, the Oxford of Chichele's age, to suppose the absence of the Radcliffe Library, the Schools,—the present Divinity School was only commenced in 1426,—the Bodleian, the Theatre, the Museums, and the majority of the Colleges, and in their stead to see around us a multitude of closely-packed, squalid habitations in irregular

streets and lanes, interspersed with those little Halls,—the ancient peculiarity of English Universities, in which the scholars for the most part resided. In the centre of Oxford, where the University buildings now rise in dignified grandeur, we have to imagine those thirty-two humble tenements, in rows facing one another, which then usurped the title of *Vicus Scholarum*, or School Street. Some of the present churches were indeed there at that time, and some sort of substitute for the modern Colleges was to be found in the monasteries, the models no doubt on which their rivals and successors were framed; but of the magnificent Collegiate and University buildings which are now the distinguishing feature of Oxford, one and one only of those which met the eye of Archbishop Chichele remains in its completeness. New College was then what its name designates, and he himself had been enrolled on its first list of scholars; but the ancient foundations which had preceded it in order of time had been conceived on a far humbler scale. Several portions of the noble work of Walter de Merton and his immediate successors still indeed exist, but the architecture of the domestic buildings of his College tells for the most part of later dates. Within the precincts of University, Balliol, Exeter, Oriel, Queen's, and Lincoln, it requires the eye of the experienced archæologist to discover any traces of those early erections which were no doubt too small and inconvenient to claim restoration when the ruder ages, for which they had done such good service, had passed away.

It is at least equally difficult to imagine the University life of the period, for it had very little in common with our own. When we watch the care with which the experienced Founder of All Souls framed his Statutes, it will be well to remind ourselves of the state of society in which his Fellows were to mix, to remember that the Colleges were but as yet the exceptional institutions of the place, still on their trial amidst

the far more ancient system of numerous small societies, which were bound to their common life by very lax ties, and which exhibited on the one hand all the turbulence and irregularities of medieval license, while they offered on the other too many opportunities for the monks and friars to make captives of the quiet and well-disposed. Multitudes of poor scholars lived from hand to mouth by borrowing small sums from the public chests or 'hutches' provided by benevolent persons,—as notably by Chichele himself,—or when that failed, by mendicancy; and numerous are the enactments, which even King and Parliament failed to make effective, against the pseudo-scholars or 'chamber-dekyns' who 'sleep by day and at night prowl about the taverns and brothels for purposes of theft or homicide[1].'

Amidst a sea of discord and disorder the Colleges rose one after another like islands of peace, absorbing year by year the small decaying tenements around them, and supplying the men who made the name of Oxford famous in the world. From them came, in the Lancastrian reigns, the chief specimens of the *via media*, the secular clergy who represented the old stubborn English antagonism to Papal abuses and Lollard excesses. In one and all alike of those which have been mentioned no monk or friar could obtain admission. Their inmates were the loyal subjects of Anglican Church and State, the same in that respect before, as after, the Reformation.

In these temples of learning the Fellows and Scholars found access to the precious volumes which were worth at that date more than their weight in gold,—volumes to be found elsewhere only in the 'religious' houses, or in the public chests under lock and key, lent from those receptacles with the most burdensome restrictions and formalities, and indeed quite beyond the reach of the great majority of students. When the 'good' Duke Humphrey gave (in 1439) his 129 volumes to the University, it was mentioned

[1] Munimenta Academica, Rolls Series, vol. i. p. 320, &c.

in the Statutes of that body as '*largissima et magnificentissima donatio*;' the books are ordered to be deposited within St. Mary's Church, in a 'chest of five keys,' and the most elaborate provisions are made for their safe custody, provisions with which 'not even the Congregation of Regents shall be able to dispense[1].' Scarcely were the tokens of University gratitude more conspicuous in the case of Chichele himself, for whom it was decreed that 'a solemn anniversary should be perpetually observed on that day on which God should be pleased to call him out of the world[2].' Masses for the soul of the benefactor are to be celebrated every year with stated laudations; two closely printed pages of the 'Munimenta' are filled with the ample terms which express the feeling of the University. Nor was this recognition so extravagant as it might appear. This is the précious library which originated the famous Bodleian, not far from the first in rank of all European collections.

It is not surprising that the pupil of Wykeham should refuse to remain satisfied with giving precious books to the University and money for loans to poor students, with providing for the renewal of Church patronage to University men, and procuring Parliamentary statutes for the repression of disorder. All this Chichele did in his accustomed princely manner. Wood finds it 'too tedious to enumerate the many benefits he conferred on the University[3].' But he must do something for the future. He must found a College,—'*exiguus*' perhaps in comparison with that of his great master, but still more perfect, still more suited to the wants of the age than New College itself. It was a very deliberate act; it was, as we have said, his last conception. For he had already tried his hand. A portion of the front of St. John's College is his work. But before he had proceeded far with the building he handed it over, under the name of St. Ber-

[1] Munimenta Academica, Rolls Series, vol. i. p. 327.

[2] Wood's Annals, sub ann. 1431. [3] Ibid.

nard's,' to the Cistercian monks. At the dissolution of the monasteries it fell with the rest, and became a new foundation, with its present name, in the reign of Queen Mary, under the auspices of Sir Thomas White. The foundation at Higham Ferrers, his birthplace, was for a humbler purpose, but equally useful in its way, and very characteristic.

These other institutions are only noticed here to mark the fact that this aged ecclesiastical statesman was no ordinary Founder, but one whose mind, as exhibited in his Statutes, it was the duty of subsequent ages, if in any case, to study. In his exclusion of the 'regular' clergy, the monks and friars, he only followed Walter de Merton, Eglesfield, Adam de Brome, Wykeham, and others of his illustrious predecessors; and indeed the case of the secular clergy had become worse than ever in his time; his Charter speaks in the most emphatic manner of the alarming decrease of their numbers[1]. But in providing that his College should so plentifully nourish ecclesiastical lawyers that there must always be as many as sixteen 'Jurists' among the forty Fellows, he not only differed from all his predecessors except Wykeham, but far exceeded the proportion assigned by Wykeham himself to 'Seinte Marie College of Wynchestre in Oxenford,' which was to have twenty Students of Law out of its seventy Scholars. Thus Canon and Civil Law became the speciality of All Souls.

Still further it was to have a peculiar development as, if not in name, yet substantially, a Chantry. It was to be a Chantry of the most perfect kind that had yet been seen in England, but this only in the second place. The words '*ad studendum*' come first; the words '*ad orandum*' afterwards. These prayers are to be offered, says King Henry the Sixth in his Charter, speaking in Chi-

[1] '*Incrementum Cleri regni nostri desiderans qui in præsentiarum noscitur plurimum defecisse.*'

chele's name, 'for our welfare and that of our godfather' (the Archbishop) 'while alive, and for our souls when we shall have migrated from this light, as well as for the souls of the most illustrious Prince Henry, late King of England, of Thomas, late Duke of Clarence, our uncle, of the Dukes, Barons, Knights, Esquires, and other noble subjects of our father and ourself, who in the times and under the command of our father and ourself, fell in the wars for the Crown of France, and for the souls of all the faithful departed.' This last limb of the sentence remained as the title of the institution;—'Collegium omnium animarum fidelium defunctorum,'—or, shortly, 'Coll. Omn. Anim.,' or 'All Soulen College.'

It was thus a peculiar and distinct foundation. Though Chantries were abolished at the Reformation, and though sundry minor changes have taken place since, All Souls has always remained, rightly or wrongly, peculiar and distinct. Neither here nor elsewhere in this book shall we consider the question whether continuity and unchangeableness may or may not have been carried too far, whether this or that improvement might not have been made with advantage: we are simply concerned with the reading of the past.

It is time that we turned our attention in a more special manner to the great Layer of Foundations whose shadow has as yet been only dimly projected before us.

CHAPTER II.

The Founder.

1362–1443.

Chichele's Education under William of Wykeham — Becomes Primate, and Prime Minister to Henry V — His share in the War with France, and Papal Sympathies — Bearing on the Foundation of All Souls of both influences.

Archbishop Chichele stands almost alone amongst the numerous founders of Oxford Colleges and Halls. With the exception of Wolsey no one of them has so largely influenced the history of his times. With the exception of Wolsey and Wykeham there is no one of them with whose life and character we are so well acquainted. With the exception of those two and Walter de Merton there is no one of them who has left so distinct an impression of himself on his foundation. Of such a man it would be a duty to attempt a sketch, however imperfect; but Dr. Hook has recently performed the task with great success in his valuable Lives of the Archbishops of Canterbury. Using the materials afforded by Dr. Arthur Duck, a Fellow of All Souls in the reign of James I, who wrote a concise life of his Founder in what Fuller[1] justly calls 'most elegant Latin,' and bringing to bear round this central source of information every other available document, the Dean of

[1] Worthies, Devon.

Chichester has given us a very graphic picture of the Archbishop and his times. All that will be here necessary is therefore to summarise the events of his life, and to bring out one or two points in connection with All Souls which do not find a prominent place in Dr. Hook's pages.

Chichele, Chicheley, or Chichely—for all the readings have authority, and shew that if, as moderns have decided, the letter 'y' is to be dropped, the pronunciation must remain the same,—was the son of a highly respectable and prosperous tradesman, born in the year 1362–3, and educated as a boy at William of Wykeham's noble College at Winchester, under the eye of that great man. From thence he proceeded to Oxford, where he was one of the first to occupy the rooms of New College. 'His name occurs for the first time as Scholar of the College in the thirty-seventh week of the first year of the College, 1386[1].' To this training under the eye of Wykeham he mainly owed, in all probability, his success in life. He was the pre-eminent type of person 'qualified to serve God in Church and State' that Wykeham aimed at producing. His industry, activity, readiness, piety, munificence may all be traced to his early education. The Statutes he caused to be framed by the celebrated Lyndwood for All Souls were largely taken from those of the College in which he learnt the lessons of life, the tone of which College he no doubt influenced, at the first commencement of its beneficent career, as only young men of goodness and ability can.

The connection between master and pupil has been quaintly drawn out by Dr. Benjamin Buckler of All Souls, in a sermon preached before his College in 1759, under the notion of Elisha receiving the mantle from Elijah:—

'By this Elijah he was made choice of as one of the earliest ornaments of that school of the prophets which had been

[1] Mr. Riley's Report to the Hist. MSS. Commission, 1871.

newly established by him; and from his example, which he had the opportunity of contemplating for some years by a personal intimacy and correspondence, he caught the same love of letters and the same ambition of being their patron and supporter. When his founder was taken from him he seems to have succeeded to all his literary and academical cares; and his speedy advancement in the Church most plentifully enabled him to support them.'

Certainly the mantle of the master fell upon the pupil in this latter respect. By the end of Richard the Second's reign Chichele was not only an Archdeacon and a Doctor of Laws, but a lawyer of very extensive practice, holding numerous ecclesiastical preferments, which in those days were commonly granted by way of fees for legal services. His education, abilities, and fortunes had thus placed him at the prime of life on the best possible vantage-ground for pursuing his career under the auspices of the Lancastrian House.

Dr. Hook thinks he was kept back for a time by his connection with the friends of the deposed sovereign, but it must have been for a very short time. He soon became the trusted agent and minister of Henry the Fourth, who, like so many of his house, instinctively understood character; and soon afterwards Bishop of St. David's. As bishop he represented England at the Council of Pisa; and it was at this Council, so largely under the management of the French, that he no doubt learnt to measure the condition of that country, and to contemplate the policy which now became identified with the House of Lancaster. Scarcely had Henry the Fifth ascended the throne when he seized the opportunity of placing the Primacy of all England in the hands of his father's ablest servant. From that day till the death of the young hero Chichele held the post which we should designate as that of Prime Minister.

How he crossed and recrossed the Channel in order to persuade the French to accept the preposterous terms

offered by his master,—terms which, however extravagant they may seem, were devoutly believed by the Lancastrian princes to be but the legitimate demand of the inheritance which had been filched from them,—how on him fell the organisation and support of the magnificent armaments England now sent forth,—how he took the extraordinary step of actually putting the ecclesiastics of the diocese of Canterbury under arms and distributing them along the coast for fear of an invasion in the absence of the fighting men,—how he rose superior to the traditions of his order, and advised the total suppression of those Alien Priories which were so much wealth to the national enemy, and which Edward III had only ventured to appropriate for a time,—how completely the great monarch loved to shew that he recognised him as his right-hand man up to the day of his death,—how accordingly the Primate represented the King at the baptism of the child whose birth was fondly hailed as the pledge of future union between England and France, taking the honoured post of sponsor at the font,—all this is matter of common history. So also is his share in the miseries of the subsequent period. We find it difficult to estimate the exact weight of his influence over the tender mind of his godchild. Oppressed by the ever-growing weight of the factions at Court, and harassed by the Popes, he now confined himself very much to the peculiar cares of the Primacy, to the task of healing the wounds which had been occasioned by the convulsions of the times; but we shall probably not be far wrong, judging by the respect paid to the Archbishop by the youthful King, if we attribute something of the piety and munificence for which Henry was so conspicuous to the early lessons of his godfather.

With the fortunes of the House of Lancaster those of Chichele were bound up from beginning to end. He witnessed its rise, its glory, its decadence. He was spared the last act of the drama. Never were Sovereigns more devotedly

served; never did Minister evince a more honourable freedom from the pursuit of selfish ends. No one in the realm set a finer example of pious munificence. Yet his career is far from affording unmixed satisfaction, and it is but right that we should regard both sides.

Two lines of national policy stand out beyond all others as characteristic of Chichele's personal administration. Both have been the subject of misapprehension. For the Lancastrian war with France he has received more than his due share of blame; while it is an open question whether his decided advocacy of that war deserved blame at all. And, secondly, the fluctuations of his conduct towards the Papacy, and his final submission, have been strangely misunderstood. The foundation of All Souls supplies some points of contact with both lines of policy. If the consideration of these points suggests some different shading of the picture from that given us by Dr. Hook, it must not be taken as any attempt to disparage his work. There will be no attempt to dispute facts—for they are well ascertained.

The very name of All Souls, the prominence given to the observance of All Souls Day, the elaborate mention, in the Charter, of those for whose souls prayer is to be made, and the traditions of the splendour with which the College Chapel was originally decorated, have perpetuated the belief that the Archbishop was materially actuated in this work by compunction for the share he had taken in advising the French war. That he entertained any such feeling whatever is wholly foreign to Dr. Hook's conception of his position. Yet this Chapel or 'Chantry of peculiar magnificence,' as the University Commissioners of 1852 styled it, the grandeur of which has only lately been exposed to the world by the discovery of the ruins of Chichele's reredos, seems to demand some explanation.

It will not in the present day be disputed that there are some grounds for the opinion that there was in reality

sufficient reason for renewing with vigour a war which had never technically ceased. At any rate the notion of sitting down quietly, even after the lapse of many years, under a grievous wrong,—such as the expulsion of the English from Aquitaine had always been considered,—for a moment longer than was absolutely necessary, was intensely repulsive to the high-spirited men of that day. The policy of the French alliance which Richard initiated, and Henry the Sixth renewed, was, under such disgraceful circumstances, intolerable. It is also probable that Dr. Hook is right in combating the commonly received belief that the war was undertaken at the instance of the clergy rather than the laity; and he is doubtless correct in asserting that the famous speech put into Chichele's mouth by the chronicler, Halle, in the following century, and from him copied by Shakspeare, and thus immortalised, has no contemporary authority.

But we all know how often speeches which are in themselves without authority embody the truth; and Dr. Hook admits, as he could not but admit, that the Archbishop 'was a decided advocate for the war.' He also describes, with no more amplitude than the facts warrant, the enormous influence possessed by Chichele at this period. In short it is indisputable that he, the Primate, was, whether rightly or wrongly, as much the cause of the decisive movement which for more than a generation deluged France with blood, as any single person in the realm. Nor can we in common fairness dissociate the prelate, who, like his predecessors, kept down the Lollards with a strong hand, from the State policy of that day which seized with eagerness such an opportunity for diverting the minds of the people from their pertinacious attacks upon Church property. The Crown also, of which Chichele was the devoted adherent, was firmly allied to the fortunes of the Church, and the House of Lancaster still felt its tenure insecure. Yet even at this time there was a party, though more feeble

than before and after the reign of Henry the Fifth, which deprecated the war with France. Such voices were unheard in the clang and shout of victory.

But time passed on. The able administrator, the sanguine statesman of middle life had merged into the pious, aged, laborious, harassed Archbishop, whom the arrogance of Popes, the factions of politics, and the disasters of the French wars were sinking down into the grave apace. Where were now his splendid hopes and well-laid plans? What had become of the magnificent success which seemed at one time beyond the reach of failure? Where were those mighty warriors whom he had sent forth to war with his blessing? How empty a title had this of 'King of France' already become for that child of his old age,—

> 'Whose state so many had the managing,
> That they lost France and made his England bleed[1].'

What must have been the later thoughts of the worn-out Primate whose touching petition to the Pope to be relieved from his life of intolerable labour reveals the intense weariness of his spirit! And what so natural as to follow the example of his hero-master, long silent in the dust, who had built

> 'Two chantries where the sad and solemn priests
> Sing still for Richard's soul[2]!'

Surely we should be doing violence to that estimate of the times and the man which a full consideration of their history forces upon us, if we did not still give credit to the view which has been supposed to be contemporaneous, and which has been handed down to us from at least very distant times! Opinions differ now as much as they ever did on the arguments for and against that famous French war. If we are free from any obligation to join in the intemperate

[1] Shakspeare, Henry V. [2] Ibid.

abuse which has been heaped on the head of its chief adviser, it by no means follows that when the bright visions of manhood had given way to the stern realities of old age, we may not believe that Chichele found it difficult to stifle the reproaches of his own conscience.

The next aspect in which we shall regard him leads us in the same direction. It was the rule, rather than the exception in this age,—since the Popes still exercised a supervision which it was dangerous to overlook,—to procure Papal Bulls for the foundation of Colleges; but the extraordinary care taken by Chichele to send his first Warden of All Souls to Pope Eugenius the Fourth at Florence for this purpose, and the special privileges and exemptions contained in this document, which still exists, suggest a deference to Rome only too strictly in keeping with other facts. The Primate's relations with the Holy See are at first sight puzzling and inconsistent. At one time we find him more Papal than his brethren; anon he is the champion of our old English independence of the Papacy; again, succumbing to the yoke, he falls so low that Dr. Hook says,—'through the weakness of the Archbishop the Court of Rome now gained its point,'—'with Chichele terminated that long line of independent prelates who had come down in succession from Augustine[1].'

This fall may, perhaps, be put a little too strongly; but there is no real difficulty in understanding Chichele's course. It is plain that he was never able to extricate himself from the position in which his close connection with the Court of Rome in his earlier days had involved him. The four following undoubted facts relating to that period speak for themselves. The laws against 'Papal Provisions' had been enacted long before his time, yet the clergy very generally evaded them, and he allows himself to be nominated both to a prebend and a canonry by this very method, the

[1] Archbishops of Canterbury, vol. v.

Pope's Provision. Again, he is named by the King for a bishopric which fell vacant during his absence at the Papal Court. It would have been at least not unnatural that he should defer any proceeding in the matter till his return home; but on the contrary he requests and obtains consecration from the Pope himself,—not a very common occurrence with English medieval bishops. Again, he engages in conflict with the Courts of Common Law on his right to retain the English preferments which he had received from the Pope; and he is hopelessly beaten. Lastly, when King and Chapter agree in pressing him to accept the Primacy, he positively refuses to have anything to do with it without a Papal Dispensation and a Bull of Provision,—from the abominable John XXIII!—and these precious documents are accordingly obtained [1]. It cannot be said that his conduct was unusual in that age; but it was sufficiently marked.

Up to mature age therefore, his sixth decade, Chichele had been a Papal partisan during times when party spirit ran high on this vexed question of the Pope's jurisdiction in England. He had taken his side. But he was now called upon to assume a leading part in those successive Councils of the West which for a moment turned the tide, and promised a general settlement of the national claims to ecclesiastical independence. Soon after his elevation to the Primacy, we find him catching something of the spirit of the times; and at last we see him take up a position worthy of the dignity which Henry the Fifth had once more claimed for England in the eyes of Europe. When the precedency of Canterbury is called in question by the Pope's audacious conduct in the case of Cardinal Beaufort, he is the true mouthpiece of his countrymen in protesting with all his might against an innovation hitherto unattempted. Backed by the king and people, he is for the moment successful; Pope and Cardinal are forced to

[1] Duck's Life and Hook's Archbishops.

recede. But now a change occurs which tests the strength of the Primate's power of endurance. The great monarch dies; the country is torn to pieces by faction; the Popes triumph, by the aid of their consummate Italian artifices, over the Councils. What will the Primate do? It is painful to contemplate the fall. It is not easy for us to estimate the full amount of the trial. But the fact remains;—Archbishop Chichele signally failed.

We have remarked that a 'Papal aggression' upon England was resolved upon at Rome. Pope Martin, and after him the wily Eugenius, saw that their time was come. It was their one golden opportunity. They resolved that England should be their own, now and for ever. On Chichele the blow fell. They knew their man. They knew how entirely Chichele had been committed to their side till quite of late; how precedent after precedent on the question of the Pope's jurisdiction might be quoted against him. Year after year they pursued their advantage. They scolded, they threatened. They reduced the aged Primate at last to the humiliating position of begging for his own degradation, of beseeching the House of Commons, with tears, to abrogate the Statutes of Provisors and Præmunire, those splendid bulwarks of English liberty, which it had cost the country the arduous labours of a century to pass and secure! The prospect of an Interdict was too terrible to contemplate. (Doubtless this feeling inspired his anxious care to procure for All Souls the special exemptions—to be found in the Bull—from similar afflictions which might befall St. Mary's Church or the surrounding institutions of Oxford.) Happily, however, the House of Commons knew its duty too well. If the clergy gave way the laity must come to the front. Once more pealed forth from its walls those notes of defiance which were yet to find an effective echo in more auspicious times.

It was reserved for Chichele to drink the cup of humiliation to the very dregs. If England would not repeal the

obnoxious anti-papal Statutes, he at least, said the Pope, should feel the papal yoke. He was forced to suffer the still further degradation of being obliged to yield the precedence of the Primate of all England, not as before to a Cardinal Legate *a latere*, but to a Cardinal who was not a Legate at all, a Cardinal merely as a Prince of the Roman Curia, to Cardinal Kemp, Archbishop of York, over Chichele, Archbishop of Canterbury! The struggle was over! 'From this time,' says Dr. Hook, 'until the resumption of our independence under Archbishop Parker, the Church of England was virtually governed by the Pope.' Certainly, on this point, the reputation of the good Archbishop, as represented in the quaint language of Fuller, was cheaply gained:—

'He was thoroughpaced in all spiritual Popery, which made him so cruel against the Wicklevites' [another mistake by the by, for his dealings with them were by no means especially harsh], 'but in secular Popery, as I may term it, touching the interest of princes, he did not so much as rack, and was a zealous supporter of English liberties against Romish usurpation[1].'

The later period of his career seems to have been entirely unknown to the witty historian. Even, however, when most completely in the trammels of the Papacy, as late as 1438, there was a point beyond which the harassed Primate would not be driven. He met Eugenius the Fourth with the most determined opposition when he quietly gave away the bishopric of Ely to be held *in commendam* by the Archbishop of Rouen[2]. It is difficult to imagine England having fallen so low as that such a thing should be conceived even by the Pope.

Perhaps in attempting to account for this failure on the part of Chichele in his later life, we should bear in mind not only the long training in 'spiritual Popery' which he had undergone, but also that his mind had been framed on the

[1] Worthies, p. 292. [2] Duck's Life.

Canon and Civil Law, the maxims of which had become a second nature to him; and we know how the convictions of early life often re-assert themselves in old age. The inbred love of national religious liberty, descending through all vicissitudes from the pure fountains of early English times, had no real abiding-place in the heart of the lawyer, the Minister, the skilful diplomatist. And indeed it would have required no little chivalry of character, no little of that baronial spirit which has supported so many of our great historical Englishmen against all odds, to stand out, deserted for the most part by his own ecclesiastical brethren, against all the cruel artillery of Rome; and his blood was not, like that of so many of the Prelates of that century, baronial. Dr. Hook, by the way, has scarcely proved his point that Chichele himself did not use swans as Supporters to his arms. It is true they are not upon his tomb, his missal, or his register; but Harris, in his History of Kent (1719), says that Chichele's is the only instance of an Archbishop, not of noble blood, having Supporters to his arms. 'I have seen,' says he, 'a seal of this Archbishop's to a deed where his arms are borne with Supporters.' If it were a question of merit it would not be easy to find many to whom this honour has been granted for more faithful service.

If we wish to go still further afield for reasons why the aged Prelate disappoints us so painfully towards the end of his Primacy, we must fall back on the condition of England described in the last chapter. The 'time was out of joint;' there is scarcely a figure during Chichele's later years on which the eye can rest with satisfaction.

A fuller consideration of the Archbishop's career may thus detract in some degree from the indiscriminate laudation of which he has been at times the subject,—this laudation being a reaction from the superficial view taken by the old historians;—but, in such an age of confusion and transition, who has a right to judge harshly of so good and wise a man,

called on to play so great a part? If his noble munificence bears some marks of the growing Papalism which had come over him again in his old age, we may rejoice that it was overruled for good. And we may place on the other side that he had courage enough to procure the application of the suppressed Alien Priories to the maintenance of Oxford Colleges,—the first step of that sort towards the Reformation, as Wolsey's wholesale suppression of monasteries and nunneries, in order to found Cardinal College or Christ Church, was the second. It is remarkable too that he should have favoured the monks so much as to hand over to them his first unfinished College; while his last, his mature conception, was formed on the same model as those of his predecessors, and excluded from All Souls any but the secular clergy.

It is given to few men, as it was to Chichele, to concentrate the experience of a long life in one focus as it were, to complete with the most deliberate accuracy what he designed, to watch every step in its progress, and to die in peace almost at the moment after the final touch was given, —just when the Statutes, a very large part of which has not been swept away even by the Commissioners of 1852, had been signed with his own trembling hand. He was in his 81st year when he died. A likeness of him, supposed to be contemporary, in a window at All Souls, conveys the impression of a wise, benevolent old man. So also does his recumbent figure in his splendid monument at Canterbury. From these and other more apocryphal pictures Roubiliac in the last century produced that beautiful bust which now adorns the College hall, and which, if we may not accept it as authentic, at least impresses successive generations with a pleasing and dignified idea of one of the truest Worthies our country has produced.

CHAPTER III.

The Early Days of the College.

1443 – 1500.

The Bull of Eugenius the Fourth — Oriel College — The first Warden — The Chapel and its Reredos — Pilgrimages — The Cardinal Archbishops — Wars of the Roses — Escape of the College from Edward the Fourth and Henry the Seventh — Prince Arthur — The only letter of his in English now extant found in the Archives of All Souls.

We have mentioned the Bull procured by the Founder for his College. A few words upon it may serve the double purpose of introducing us to the early years of the institution, and, it may be hoped, of convincing the reader that he will not be required to wade through a mass of dry documents suitable enough for the antiquarian, but self-condemned to be perused by antiquarians alone.

Among the points worthy of our attention in this interesting document, which is dated from Florence in 1439, is its citation of the objects of the College,—which, by the by, it states to be for '*pauperes scholares*,' whereas the words of the Charter are '*pauperes et indigentes*,'—and the permission granted for the burial of its members within the consecrated precints of the College. But, in its bearing on the last chapter, it is more important to notice the elaborate provisions, which occupy so much of its space, for the immunity of the College during an Interdict.

Divine Service may be performed in the Chapel with closed doors, and silent bells, and hushed voice, in spite of any Interdict to which the city might perchance be subjected, so long as the College is not itself concerned in the offence, nor allows interdicted persons to be present. Further voluminous provisions free the College from all services which might be claimed at any future time by 'the King's Hall' (Oriel College), St. Mary's Church, or the Vicar of St. Mary's.

This last privilege is connected with the fact that a part of the College was built upon ground over which St. Mary's (the present University Church) and 'The King's Hall,' as 'Proprietors' of St. Mary's, had hitherto held ecclesiastical jurisdiction. Immunity from dues and offerings was not of course obtained from the King's Hall for nothing. A deed of the year 1443, still in the Archives of All Souls, between All Souls College on the one part and Walter Lyhert, Provost of the King's College or Hall and his Fellows on the other, recites the Bull, acknowledges that the Founder of All Souls had given two hundred marks by way of indemnity to the said College or Hall, and ratifies the same for ever,—only, however, as to the immunity of those who live and sleep, or die within the actual precincts of All Souls.

It may be worth notice that not only does the name 'Oriel' fail to appear in these documents,—which will not surprise the well-informed,—but neither does that occur which is said by Anthony Wood to be the ancient name of the College, 'the House of the Scholars of the Blessed Mary.' In the deed it is called '*Collegium vel Aula Regalis;*' in the Bull, '*aula regalis,*'—nothing more. But this title is never mentioned by Wood or other Oxford writers, and has completely passed out of memory. Brasenose, a comparatively modern College, having been known as the 'King's Hall' for some centuries, has monopolised the title;

it has been forgotten that, in the early struggles of Colleges with their numerous jealous neighbours, it was natural to bring into prominence, by way of protection, the title to royal patronage, such as Oriel possessed from Edward the Second. The name 'Oriel' was from early times a familiar and unofficial designation, being derived from an ancient Hall which previously occupied the site of the College, this Hall itself, as some think, having derived its name from the *oriolus* or little window over its eastern gateway; but it did not become the official title of the 'King's College or Hall' till the reign of James the First.

We shall make still shorter reference to the elaborate Computus, or account-book, containing the expenses of building the College, inasmuch as the public have access to its most interesting passages in Gutch's Notes upon Wood's History of the Oxford Colleges, and in his Collectanea Curiosa. It is believed that no College has so complete a repertory of all that is required for comparing the price of labour and materials in those times with the prices of our own day as All Souls. The beauty of the writing and exactness of the accounts betray the care required by the Founder from his agents. The persons to whom it seems to be due are the chief architect, Roger Keyes, who became the second Warden, and Robert Druell, the overseer of the works, and afterwards a Fellow. The names of all the persons employed and their hours of labour are duly registered. Perhaps it has not yet been remarked that we may gather from the above document that the process of creating surnames was at this period not even yet completed,—at least for the trading and labouring classes. Thus the joiner is called 'Giles Joyner,' the smith 'Robert Smyth,' the sawyer 'Thomas Sawyere,' the glazier 'John Glasier;' but the sculptor is Richard Tyllot, Kervere. He it is who carved the angels in the roof at a cost which, after making the amplest allow-

ance for the difference in value of money, is greatly below what it cost to carve one of these same angels in 1872 in order to replace one that had decayed.

The total cost defrayed by Chichele was about £10,000, including site, endowment, books, and chapel furniture. Of this £1000 were spent in the purchase from the King of the non-conventual Alien Priories which have already been noticed. New College also received some of these spoils, which even Papal England felt were more fit to be used at Oxford than in feeding the French enemy. Perhaps, as authors differ very widely in estimating the comparative value of money between that day and our own, we may fairly split the difference between Dr. Hook, who gives us ten for a multiple, and Mr. Anstey, who, in his *Munimenta Academica*, gives twenty. If we take fifteen, which is nearly what Hallam believed it to be, we shall credit the munificent Archbishop with having spent £150,000 of our currency in founding All Souls!

One of the precautions suggested by the legal training of the Founder turned out to be singularly unfortunate. Indeed the fortunes of the College, as we shall see, were very nearly wrecked through this means during the Wars of the Roses. He devised the scheme of passing the College and its revenues over to the King, and receiving them back from the King as co-Founder with himself. Something of this sort had been done before. Adam de Brome had sunk his own personality in that of his Sovereign; but even Edward the Second offered a better prospect of security for Oriel than Henry the Sixth for All Souls. Chichele's anxious mind read only too plainly the signs of the times; and in the coming troubles he still leant on the royal authority as the most stable element in society. Well, indeed, might he trust the saintly youth who joined so heartily in his plans; and perhaps he could not be expected to foresee that it was against this very bulwark that the storm would

beat. He shewed more sagacity in providing that the Archbishops of Canterbury should be for all time *ex officio* Visitors of the College[1]. They were to have a specially lofty position as Visitors. Though the Statutes only speak of the Archbishops as 'Co-Founders with the King for ever,' and though Henry in his Charter calls it 'our College,' the Archbishop of the time being was to stand in the place of the Founder, the sole interpreter of his Statutes, from whom there was no appeal, the almost-Warden and Father of the College. So strongly was this worded that Archbishops Stafford and Whitgift claimed the power of promulgating new Statutes, and the interpretations of Archbishops Tenison, Wake, and Cornwallis have been thought to answer very nearly to that description. Of the special provisions of the Statutes it will be less tedious to speak when at different periods the history of the College brings any portion of them before us.

And now, the careful, kindly, generous, and pious Founder having been taken to his rest, we must attentively watch for whatever scanty and fitful light may be cast upon this history during the remainder of the century. In the general historical gloom which overshadows most of the latter half of the fifteenth century All Souls shares the fate of the rest of the nation. It is one of the 'dark ages' of English history. The medieval chroniclers are gone, or are sounding their last notes; the modern author is waiting for the Renaissance. We experience a sort of voiceless pause,—much shorter but not unlike that dark age which elapsed between the break-up of the Roman Empire and the formation of modern nationalities,—between two periods of articulate song and speech. The barbarous wars of York and Lancaster hang like a thundercloud over the landscape of history, and, when it rolls away, we see that a Revolution is in progress. The Eng-

[1] See Chap. XIV, end.

land of the Plantagenets is changing into the England of the Tudors, the reign of force and license into that of statecraft and order, fraud and foreign diplomacy. The medieval Church is making a vast effort to rally round it the new forces of society. It finds itself confronted with the printing-press, the Bible, the growing middle class, the new ideas gradually making their way from abroad. It throws itself, as a last resource, with redoubled ardour upon the lower and more ignorant classes, upon the æsthetical developments suited to their tastes, upon pilgrimages of every species, old and new, on the gaudy decoration of shrines, and of course on the ready zeal of the Friars,—for they surpassed all others in their keen perception of the danger. It was too late.

All Souls seems, as might be expected, to have made an excellent commencement of its career. The Founder himself selected the first twenty Fellows, who, as he desired, selected twenty more. Forty Fellows were to partake of his bounty. That number remained unaltered for more than four hundred years. Chichele seems to have selected almost too great a man for Warden; since he is so important a statesman that he is obliged to resign his office, in order to fulfil his duty to the Crown, before the College is opened; but, on the other hand, he was able in all probability to be even more useful to his departed master's Foundation during the forty years of his subsequent career, all which time he was holding great offices, than if he had remained Warden. We have seen how the Archbishop had trusted Richard Andrewe, his intimate friend, with the mission of procuring the Bull. No doubt, as Warden, he kept the Fellows together in the lodgings assigned by Chichele during the greater part of the five years occupied in building the College under the Founder's own directions; and so laid the foundation of the subsequent success of the College. This wise arrangement had been pursued by Wykeham in building New College. Those who were to set the tone of

the institution should be prepared by a previous common life and daily devotions for their future work within the building, in whose approaching completion they could not but take an active interest. In his subsequent career, Warden Andrewe may be taken as no inadequate type of the sort of men whom Chichele designed that his College should provide, and which it did indeed largely produce. He resigned his Wardenship to become a Secretary of State, and received preferment as Dean of York. He was very frequently employed as a Commissioner for making treaties of peace, or truces, both with France and Scotland. In the most important of these Commissions he may be reckoned a peculiarly fortunate man. Though the Duke of Suffolk was the head of the embassy which concluded the disastrous and disgraceful negotiation with France as to the cession of Maine and the marriage of Margaret of Anjou, Andrewe seems to have been the real chief, and at any rate the principal agent as to all the forms and details. Along with Suffolk he brings the hapless Margaret to England; unlike Suffolk he saves his head,—and indeed uses it to the great advantage of his country often afterwards.

Of the few notices we possess of the condition of the College during the fifteenth century those connected with the Chapel are among the most characteristic. It had been magnificently built by the Founder, but probably much internal decoration was supplied after his death. The reredos, now under restoration, is pronounced by the first of modern authorities, Sir Gilbert Scott, to be the most elaborate and beautiful work of the age which has come down to our time; the windows of the Ante-chapel, once well matched by those of the Chapel, have no superiors of that century; nor will many roofs be found more beautiful than the hammer-beam roof which has lately been exposed to view. The proportions of the Chapel, however, exhibit, according to the late Professor Cockerell, decided

marks of deterioration from those of Chichele's great master, Wykeham. 'That ruin,' says the Professor, 'of the architectural schools of our country, which the revival of classical taste in Italy and throughout Europe finally accomplished, was now, under Archbishop Chichele and Bishop Waynflete (at Magdalen), rapidly accelerated[1].' He instances especially the neglect of the rule which requires three diameters for the length of the choir, and the projection of the Ante-chapel beyond the space required by Wykeham's proportions.

Possibly the limited extent of ground procurable for the Chapel, and the peculiar form of the site, which has visibly affected the lines of the Ante-chapel, may have had something to do with the changes introduced by Chichele's architects; but when everything was changing, no one thought of imputing any fault in this instance; and the attractions, which from many causes the Chapel possessed, drew supplies from all quarters. The death of Chichele was, under the circumstances of the times, a loss profoundly felt by the nation. As long as he lived he represented the glories of days gone by; and all knew that he had done his best to perpetuate those glories at All Souls. His successor, Archbishop Stafford, thought it his duty to express this sentiment in a manner suitable to the notions of that day. Immediately after Chichele's death he makes it his business to procure a most elaborate and exhaustive Charter of Privileges, often afterwards of use to the College; and soon after that marks his sense of the peculiar esteem in which the Chapel was held by granting an Indulgence of forty days to all Christians of his province who shall annually visit it, and there say a prayer, '*cum salutatione angelica*,' for the souls of all the faithful resting in Christ. In 1457 we have perhaps an evidence of the great resort then made to the Chapel, in consequence of its being widely known as a place of pil-

[1] Proceedings of the Archæological Institute: Winchester, 1845.

grimage, by means of a record of the number of wafers[1] consumed when the Obit of Lady Shottesbrooke was celebrated. The number was no less than 9400.

It seems that the public attention thus drawn to the Chapel had a great effect on the progressive development of its splendour. Chichele had himself supplied it with a magnificent furniture of plate, vestments, and other ornaments, the list of which, in all its profuseness, is still extant. But it seems probable, as we have said, that much remained to be done in filling up the niches of the reredos, and in the adornment of the altar. We have no absolute record in the original Computus of more than two 'great stone images,' which were placed over the altar; but we find towards the end of the fifteenth century that Bishop Goldwell of Norwich, a former Fellow, not only built the cloisters and screen, but left £50 (£750 of our money) '*circa ædificationem summi altaris*;' while Robert Este, a Fellow, left £21 18*s.* 4*d.* (nearly £300 of our money) for 'making and setting up certain images over the high altar.' We also read that 'the high altar was adorned with the image of the Holy Trinity gilt and painted.' The ruins, lately exposed, of the Crucifixion, with attendant figures, alone remain to explain what was meant by these entries. The statues of the four Latin Fathers of the Church, SS. Jerome, Ambrose, Augustine, and Gregory, to whom the Chapel was dedicated, no doubt found places over the central group; and the ornamentations of a particular canopy suggest that the figure of the Virgin Mary filled a particular niche; while the traces of the strings of a cardinal's hat, with the initial W, are thought to suggest that the great Cardinal Beaufort of Winchester was one of those represented. Marks were also left of the figure of our Lord seated in Judgment at the summit of the reredos, close under the gilt collar-beam containing the inscription, '*Surgite*

[1] So in the copy; but the original has not yet been found, and perhaps we ought to read 'tapers.'

mortui, venite ad judicium,' surrounded by archangels, and with naked figures on either side trooping to Judgment;—but all else is left to conjecture. Historical figures connected with the Lancastrian House and the French wars, like that of Beaufort, are supposed to have filled many of the lower niches; while the central and upper portions were reserved for sacred or semi-sacred 'images.' The zeal of the times was not satisfied with one altar, however richly bedizened. No less than seven additional altars were eventually reared, three along each side of the Choir, and one in the Ante-chapel.

This somewhat minute description is inserted here not so much in consequence of the modern discovery, as to illustrate the times, and to suggest one reason amongst others for the escape of the College from the dangers to which it was shortly subjected. The precaution of the Founder in handing over his institution to Henry the Sixth, and receiving it back from him, proved a *damnosa hæreditas.* The unhappy King, from whom the College continued to receive benefits to the last, soon began to totter on his throne; and his successors were sorely tempted to confuse the distinction between his nominal and his real possessions, his sacred obligations and his legal property. The position in which he had been placed by Chichele gave a ready handle to Edward the Fourth and Henry the Seventh. Both claimed the endowment of the College as royal property. We can only guess at the influences which staved off the peril; but we shall not be wrong in attributing something to that which was exercised over their superstitious minds by the fame of the Chapel as a place of pilgrimage. We find for example that Edward the Fourth considers it worth while to turn its services to account in his Deed of Re-grant of the Alien Priories, where, carefully describing the late King as *nuper de facto non de jure Rex,* he makes it a condition of his gift that the College shall pray for 'our health and that of Cecilia, our dearest mother, Duchess of York, as long as we are alive, and for our souls

when we shall have migrated from this light.' Right glad was All Souls to escape with the payment of a not immoderate sum to purchase a pardon of the King for innocently taking part with Henry the Sixth!

Much no doubt was also due to the Visitors; for these were days when Kings could not afford to affront a loyal Primate. Their interests were too closely united; the danger to Church and King from the swelling tide of middle-class freedom was equally imminent over both. These Cardinal Archbishops of the fifteenth century, whatever their services to the College, were not however altogether above a little venture or two on their own account. Warden Warner in his short account of the College, in the time of the later Tudors, says,—

'The Archbishop of Canterbury succeeding Henry Chichely, either next or shortly after, took again from the College the Parsonage of Teying in the County of Bucks, which King Henry and Henry Chichely had impropriated to the College, but that was never again restored. No more was a Lordship in the County of Bucks called Foxcote; and these evil chances maketh the College poor and bare, and the Warden's and Fellows' portions much less than they be in other Colleges.'

Perhaps it may strike us that the good Warden is hardly thankful enough for the escape of his College in such perilous times.

And, besides the fame of the Chapel and the interposition of the Visitors, we shall surely be correct in ascribing something to the *genius loci*. If the College bore its silent witness to the Lancastrian rule, it told also of glories which England could not afford to forget. It enshrined the memory of Agincourt; it held forth as an ægis 'Henry's holy shade.' Even the Yorkists felt the spell; but it must have told with still greater effect in unloosing the rigid fingers of the first all-grasping Tudor, when they also closed over the College property. His efforts and those of his son to

procure the canonization of Henry the Sixth are well known. They proceeded so far that a book of prayers to 'Saint Henry' may still be seen. In the fourth year of Henry the Seventh's reign we find the College petitioning him, as his 'continual orators and true bedesmen,' in the following terms. After stating that though Edward the Fourth had resumed the royal grants, 'the Warden and College at all times have occupied the premises, and thereof taken the profits continually since the foundation of the same until now right late they be inquieted by process made of your Exchequer upon the said resumption,' they beg him to confirm and establish all that had formerly been done by the 'blessed mind' of his 'dear uncle of noble memory, Henry the Sixth, late King of England.' This Petition was allowed by Henry the Seventh, and ordered to be enrolled, which made it an Act of Parliament; and as such it has been pleaded by Wardens Stokes, Warner, and others.

Some years later, if we may judge by the scanty, but very curious, evidence of the note made by one of the said King's Commissioners, who had pressed the Warden for a loan, the College was so strong that it only required the exercise of a little sturdy independence on the Warden's part to procure such an immunity from arbitrary taxation as Henry was the last man to admit if he could help it. The document, which is of rare occurrence in the case of an individual, may be worth a moment's attention. Here, and in some other cases where the archaic structure of the language employed seems to make the additional burden of the orthography no real hindrance, the original spelling is preserved.

The occasion was an invasion of England by the Scots; and, though there is no date to the letter, we may safely place it in the year 1496, when James the Fourth, along with the so-called 'Perkin Warbeck,' 'harried the Marches.' The grounds on which the request is based are put with almost a touching force.

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And, besides the fame of the Chapel and the interposition of the Visitors, we shall surely be correct in ascribing something to the *genius loci*. If the College bore its silent witness to the Lancastrian rule, it told also of glories which England could not afford to forget. It enshrined the memory of Agincourt; it held forth as an ægis 'Henry's holy shade.' Even the Yorkists felt the spell; but it must have told with still greater effect in unloosing the rigid fingers of the first all-grasping Tudor, when they also closed over the College property. His efforts and those of his son to

procure the canonization of Henry the Sixth are well known. They proceeded so far that a book of prayers to 'Saint Henry' may still be seen. In the fourth year of Henry the Seventh's reign we find the College petitioning him, as his 'continual orators and true bedesmen,' in the following terms. After stating that though Edward the Fourth had resumed the royal grants, 'the Warden and College at all times have occupied the premises, and thereof taken the profits continually since the foundation of the same until now right late they be inquieted by process made of your Exchequer upon the said resumption,' they beg him to confirm and establish all that had formerly been done by the 'blessed mind' of his 'dear uncle of noble memory, Henry the Sixth, late King of England.' This Petition was allowed by Henry the Seventh, and ordered to be enrolled, which made it an Act of Parliament; and as such it has been pleaded by Wardens Stokes, Warner, and others.

Some years later, if we may judge by the scanty, but very curious, evidence of the note made by one of the said King's Commissioners, who had pressed the Warden for a loan, the College was so strong that it only required the exercise of a little sturdy independence on the Warden's part to procure such an immunity from arbitrary taxation as Henry was the last man to admit if he could help it. The document, which is of rare occurrence in the case of an individual, may be worth a moment's attention. Here, and in some other cases where the archaic structure of the language employed seems to make the additional burden of the orthography no real hindrance, the original spelling is preserved.

The occasion was an invasion of England by the Scots; and, though there is no date to the letter, we may safely place it in the year 1496, when James the Fourth, along with the so-called 'Perkin Warbeck,' 'harried the Marches.' The grounds on which the request is based are put with almost a touching force.

It is 'for the revenging of the grete cruelty and dishonour that the King of Scotts hath done unto us, our realme and subjects.' The King has been advised 'by our grete counseill of lords spiritual and temporal, of Judges, Serjeaunts in our lawe, and of other some hedwisemen of every citie and good towne of this oure lande,' who have 'determyned us to make by see and by lande two armies roiall for a substantial werre to be contynued upon the Scotts unto such tyme we shall invade the realme of Scotland in oure owne person, and shall have with Godd's grace revenged their grete outrage . . . in such wise as we trust the same our subjects shall lyve in rest and peace for many yeares to come.' He goes on to say that 'the lords and other of the same grete counseill considering well that the same grete substantiall werre cannot be borne but by grete sommes of redy money, have prested [lent] unto us every of them for his part grete sommes of redy money; . . . . and because as we here ye be a man of good substaunce, we desire and pray you to mak loon unto us of the somme . . . . ' [amount left blank]. Then follow exact directions as to the way in which the loan is to be made, but ending with the following ominous and characteristic words: 'This is a thyng of so grete weight and importance as may not be failed. And therefore faile ye not for y^r^ said part eftsoone we pray you, as ye tendre the good and honour of this o^r^ realme, and as ye tendre also the wele and suretie of y^r^self.'

'Yeven under our signet at o^r^ paleys of Westm. the first day of Decembre [1].'

The initials at the head of the letter are the King's. It is inscribed to Warden Hobbys, who governed the College from 1494 to 1503. But the King had come to the wrong man. Hobbys, or Hobbes, had, like Henry himself, gained a little experience in the rougher walks of life. He had twice been 'Northern Proctor' for the University, an office for which men were elected by open vote, and which the stoutest champion in battle generally obtained. In that capacity he had been called upon to assert the rights of the University against the people of Woodstock, who supported Hambden, High Steward of the University, in levying a tax for the

[1] Archives.

King which was probably, since it was afterwards remitted, illegal. Hambden—no doubt an ancestor of the illustrious patriot—had to yield, after a battle, to Hobbys, and to surrender his brother, who was confined in Bocardo, the famous old prison-gateway which formerly stood at the top of Cornmarket Street.

These experiences seem to throw light on the brief memorandum which we find, in the hand of the Commissioner, at the foot of the King's missive. It was to this effect: 'Hee hath given an oth that hee nedre may lend x^{li}' [ten pounds], 'nedre xl^{s}, except he should borow hytt to his grete hurte.' What the King said in reply to his baffled Commissioner we know not; still less how far the 'wele and suretie' of the sturdy Warden were affected by his refusal; but we find him a Canon of Windsor before he dies.

Another letter of the same period may conclude this chapter. It is the first of many indications that if Kings relinquished the hope of seizing the revenues of All Souls in the gross, they, and many others besides them, very early learnt to exhibit a tender interest in the separate emoluments of its Fellowships. For two centuries there was a general scramble in high places for these coveted posts,—natural enough if we bear in mind the intimate relations between our Kings and Primates. Both no doubt considered the election of their nominees as some sort of return due for favours received, but it was most prejudicial to the true interests of the College. The constant infraction of the Statutes sapped the morality of the Fellows, and, perhaps, led them gradually, under colour of self-defence, to adopt a system of corrupt elections, which at least gave them a better chance of securing their own privileges. But for this scandal in high places we should, however, have lost some of the most interesting passages in the history of All Souls; and we shall at least observe, from the intensity of the struggle, which terminated at last in the purification

of the College from an inveterate abuse, how dangerous are the first steps, however plausible, in the process of interference with a self-governing institution.

Nothing can be milder than this first attempt,—if indeed it was the first. It has hitherto, like the foregoing letter, been overlooked and undocketed by any previous examiner of the College archives, perhaps because it is undated and unsigned, but scarcely on account of its illegibility. The letter is written on a very small, insignificant piece of parchment, and merely headed 'By the Prince.' What prince? The collation of a few facts enables us to assign both name and date. It is one of the most interesting documents of the lesser domain of history, and would make the fortune of many a collection. It is the only letter or paper, written in English, known to have emanated from one of the most interesting young princes our country has possessed, Arthur, Prince of Wales, son of Henry the Seventh, the first husband of Catharine of Aragon! Its object is to make interest with the College to elect a friend to a Fellowship. Being short, it may be given verbatim:—

'By the Prince.

'Trusty and right well beloved We grete you wel. And forasmoche as we ben credibly informed that y^{or} late election is past and nowe of late devolved into the handes of the most reverend fadre in God o^{r} right trusty and most entirely beloved cousin y^{e} Cardinal of Canterbury, we desire and right affectionately pray you that the rather for o^{r} sake and at the contemplation of these o^{r} l^{res}' [letters] 'ye wol have o^{r} right and wellbeloved William Pickering, scoler of lawe, inasmoche as he is of alliaunce unto the founder of y^{or} place, and that his fadre also is in y^{e} right tendre fav^{or} of o^{r} derrest modre the quene, especially named in y^{or} next election, as we especially trust you, whereynne be ye acertayned us to be' [be assured that we will be] 'unto you and y^{or} said place the more good and gracieux lord in eny y^{or} reasonable desires hereafter.

'Yeven under o^{r} signet at the Manor of Sunninghill the XVIII day of November.'

That it was one of the two sons of Henry the Seventh who wrote this letter might be asserted from the evidence of the orthography; but as it could not have been written later than 1499 or 1500, it cannot be attributed to Prince Henry, who was then only ten years old, nor would he be designated as 'the Prince.' Archbishop Morton, the last Archbishop of Canterbury before Pole who was a Cardinal, died in September, 1500, in the life-time of 'the quene our derrest modre,' Elizabeth of York; while the fact that the College elections were always held in November throws the date back nearly a year at least before Morton's death. The extreme youth of even the eldest of the sons—for Prince Arthur was only in his fourteenth year—might indeed be a difficulty in an ordinary case, but it is not so in this. The Tudors were eminently precocious, but Prince Arthur surpassed them all. His tutor, Bernard André, considered his talents almost superhuman. Before he had attained his sixteenth year, 'he had learnt parts of, or at least turned over with his own hands and studied with his own eyes, in grammar, Garinus, Perotus, Pomponius, Sulpicius, Aulus Gellius, Valla; in poetry, Horace, Virgil, Lucan, Ovid, Silius, Plautus, Terence; in rhetoric, Cicero's Offices, Epistles, and Paradoxes, Quintilian; in history, Thucydides, Livy, Cæsar, Suetonius, Tacitus, Pliny, Valerius Maximus, Sallust, and even Eusebius[1].'

There are marks of character about the letter which indicate the personal share of the writer in its composition; the affectionate manner, for example, in which he mentions his mother, a woman well capable of inspiring such affection, the earnestness with which he pleads for a friend, and the lordly style with which he baits his request. He did not live long to be the 'good and gracieux lord' he hoped to prove.

We have still less difficulty with respect to the Prince's

[1] Quoted from Bernard André, in Gairdner's Memorials of King Henry the Seventh.

tender years when we compare this letter with the only two others of his which are extant. The first of these, of about the same date as that to All Souls, is a passionate love-letter to the Princess Katharine, very much indeed beyond what a boy of his age would think of writing in these days; and the last, to Ferdinand and Isabella, upon meeting his bride, written two years later, is equally warm and affectionate. Both of these are written in Latin, as was natural[1].

And yet, though he lived some two years at least after his letter of recommendation, it is to be remarked that his suit to the College entirely failed. The name of Pickering does not appear on the register. This is the more remarkable when we remember that Prince Arthur visited Oxford in 1501, and that the celebrated Lynacre, who had been elected a Fellow of All Souls in 1484, and, after his return from Italy, had succeeded Bernard André as tutor to the Prince, might be supposed to have exercised his influence with the College. Perhaps some other advancement was found for Pickering; or is it possible that we have here an instance of the resolution of the College to guard its independence, even against the insinuating attack of the accomplished boy-Tudor?

The only reason that can be assigned for the letter being written from Sunninghill, is that 'Sunninghill Park was formerly part of the royal demesnes[2].' There was probably some manor-house on it which was placed at the Prince's disposal, or he might have lodged in the nunnery there. In 1542 Henry the Eighth held a Council at Sunninghill. In that year died Sir William Pickering, Knight Marshall to Henry. This was probably Prince Arthur's friend.

[1] Bergenroth's Calendar of Spanish State Papers, vol. i. pp. 246, 312.

[2] Lysons' Berkshire.

CHAPTER IV.

All Souls and the Renaissance.

1443 – 1526.

The Abbess and Nuns of Syon — Life and Manners of the early Fellows — Lynacre — Latimer — Leland — Other distinguished Men — Civil Law at All Souls — Archbishop Warham — Rapid succession to Fellowships.

Save and except the above indications of the perils through which the society had passed, the College, so far as its records have yet been searched, knows nothing of the Wars of the Roses. The partial impoverishment which befell it was shared with the rest of the University and other corporate bodies of the realm. Those records are generally, during the first century after the Foundation, of that unimportant character which, like those of a country happy in 'having no history,' betoken useful work and progressive development.

Besides the notices of the Chapel already mentioned, perhaps the most suggestive entries are those made from time to time of *Confratres* and *Consorores*. The successive Primates, each in his turn, as he draws near the end of his days, plead their claims as Visitors, and beg, as the greatest of favours, that they may be admitted to the benefit of the College prayers, dirges, and repetitions of De Profundis. Such petitioners of course do not ask in vain; and an occasional benefactor is also registered as a recipient of this highly-prized privilege. One of the latest of these

entries is also the most curious. It is the admission of the Abbess and other members of the Monastery of Syon to the benefit of the College prayers. The elaborate document conveying the boon has been printed in Gutch's Collectanea[1]. What obligation on the part of Syon the College thus repaid is not known, nor are we told whether the kind of repayment was entirely satisfactory to the ladies; but the College seems to make no doubt that it will be so. 'Others,' say they, 'may repay in gold, silver, and gems, . . . we in pearls and necklaces of another kind, . . . we make you and your successors partakers of all our Divine offices, chants, prayers, masses, studies, alms, fasts, and indulgences.'

The Warden whose name appears in this document is Woodward, who presided from 1526 to 1533, when he resigned. Its date, March 6, 1536, is therefore a difficulty. It is possible that delay took place in the transmission, caused perhaps by the suppression of the smaller monasteries in 1534. It may have been hoped in 1536 that the storm had blown over, and that Syon would be saved; but the interesting point is that All Souls, as we shall see, had made its full and complete submission to Henry the Eighth as early as 1534; thus shewing that as yet there was no feeling of inconsistency between the acknowledgment of the Supremacy of the Crown, and the Roman Catholic doctrines involved in such a transmission of spiritual privileges as the above. However this may be, the document could hardly have been dated and dispatched before Syon fell. It was one of the first of the larger monastic institutions to feel the heavy hands of Henry and Cromwell, for it had given special offence in the matter of 'the Holy Maid of Kent,' and was formally accused of harbouring the King's enemies.

How curiously different the career of the two institutions which had both felt Chichele's fostering care at their

[1] Vol. ii. p. 268.

birth, and which thus exchanged good offices when on the point of final separation! Syon was founded by Henry the Fifth in 1414, by Chichele's advice. At its opening Chichele, as Archbishop, officiated with all ecclesiastical pomp, just as he did, some thirty years later, at the consecration of All Souls Chapel. Like All Souls, Syon was endowed by the Crown from the estates of suppressed Alien Priories; like All Souls, as it was one of the latest medieval foundations, so it was the most aristocratic. Its fashionable species of monastic life under the rule of St. Austin (as then lately reformed by St. Bridget, Queen of Sweden), its royal patronage, great wealth, and beautiful position on the Thames at Isleworth, as well as its vast staff of eighty-five 'religious' in honour of the thirteen apostles and seventy-two disciples [1], made it a natural ally of the favoured College at Oxford so munificently linked by Chichele to the memory of the Lancastrian princes. No doubt scholars of one became priests of the other; no doubt many a nun of Syon was to be found as a pilgrim making her offerings at the glittering shrines of All Souls.

But now the crash came. While the College was spared, the Nunnery found its way into the hands of the Dukes of Northumberland, with whom it has ever since remained; and the nuns set forth on their toilsome wanderings. The stout English spirit in their gentle blood forbade them to give way without a struggle, one of the most gallant and prolonged on record. It lasted three hundred years. After the failure of their fond attempts to settle near their own land in the Low Countries and in France, they eventually found a home at Lisbon, still keeping their English nationality through all vicissitudes. In the seventeenth century their convent was destroyed by fire. That did not daunt them. They diligently begged for alms, and rebuilt

[1] The number of eighty-five was composed of an abbess, fifty-nine nuns, thirteen priests, four deacons, and eight lay-brethren.

their nest. Again their new abode was levelled to the ground in the famous earthquake of the eighteenth century; and again it was rebuilt. But what fire and earthquake had failed to effect was brought about by the 'Peninsular War.' When Lisbon became the head-quarters of our army the convent became the English hospital, and the forlorn relic of the sisterhood, consisting of nine English ladies, made their way back to their own land once more in 1810. 'In 1825 two or three of them were still alive in the vicinity of the Staffordshire Potteries[1].' Probably the last thing which would occur to any of them in their distress would be to knock at the gates of the College which had once exchanged spiritual privileges with their remote predecessors!

As far as the individual members of the College and their mode of life are concerned, there are no signs of wealth at All Souls in its early period. Their buildings may be handsome, their Chapel magnificent, their endowments, with all respect to Warden Warner, ample; but no man has at his disposal anything whatever beyond his food, his clothing, and his share of a room. His 'commons' are fixed at one shilling a week when wheat is cheap, one shilling and fourpence when dear; his 'livery' is of too modest a value to enable him to make any display in dress; two 'chamber-Fellows' live together in one room. He must not even walk alone outside the College, and then only within the distance of a mile—the limits being 'Greenditch Fosse on the North, the cross upon the bridge going to Bagley on the South, Headington or Cowley on the East, and Hinksey or Botley on the West.' The College accounts are presented to the Visitor every year, and the surplus income of the College lands which remains after the commons and livery are deducted, is, should there be any, placed in the tower-chest. It is the

[1] Dugdale's Monasticon, ed. Bandinel.

Visitor, and he alone, who grants from time to time, not as a matter of course, but as the greatest of favours, that some small portion of this treasure may be divided amongst the Fellows for the 'augmentation of commons.' But even this does not appear for more than a century. At first there was very seldom any surplus; and if any occurred under some peculiarly favourable circumstance, it was to go towards providing what was necessary for the improvement of the College property. Gradually, after the Reformation, some portion came to be assigned to the purchase of livings for the Fellows; this being the method, and not a bad one, by which such learning as the Universities possessed was to be circulated throughout the country[1].

At the early period of which we are speaking, we find notices of the addition to the College property of the various little tenements which once occupied its present ample site, three of which were small ancient Halls. The College lands are managed by the members of the College appointed for that purpose, annual 'progresses' being regularly made to receive the rents and consult the wood-wards; for most of the land is as yet covered with forests, and leases are almost unknown. Payments are for centuries very frequently made in trees instead of money. College stables, College grooms, and College horses are necessary for this purpose. Disputes as to the respective rights of the Warden and Fellows in the use of these horses, which came no doubt to be employed largely for other purposes than those of the 'progress,' occur even as late as the beginning of the seventeenth century. It need hardly be said that so agreeable a mode of taking exercise at the expense of the College ceased long ago to be in the power of either the Warden or Fellows!

The Statutes, like those of most other Colleges, contain the minutest regulations as to behaviour and discipline.

[1] See Chap. VII, sub finem.

The Bible or some other sacred writing is to be read out by the appointed person at dinner, while the strictest silence is to be preserved. Severe penalties are imposed for any interruption. After dinner, which is at eleven o'clock, after supper, and after the 'potations' in hall at Curfew-time,—

'Grace having been said and the Cup of Charity passed round, the Fellows are to betake themselves to their studies or other places within the College, and the seniors are not to suffer the juniors to linger in the hall. But on the principal feasts and the greater double feasts, and when College business, or disputations, or other important College matters are to be transacted, or when, in winter-time, the Fellows are allowed a fire in the hall out of reverence to God and his mother, or any other saint or solemnity,—then, by way of recreation, the Scholars and Fellows may, after dinner or supper, divert themselves for a reasonable time with songs and other proper amusements (*cantilenis et aliis solatiis honestis*), as well as in the more serious discussion of *poemata Regnorum, Cronicas, et mundi hujus mirabilia et cetera quae Clericalem statum condecorant.*'

These arrangements for recreation are copied *verbatim* from the Statutes of New College, and must have been well tested in his own youth by the Founder. On the eve of the Renaissance the fifteenth century still accepted the manners of the fourteenth. The words in the text have often excited the curiosity of the antiquarian. Warton in his History of Poetry[1] says that 'the *cantilenæ* which the scholars should sing on these occasions were a sort of poemata or poetical chronicles containing general histories of kingdoms.' Hearne collected some fragments of this kind which were 'supposed to have been written about the time of Richard the First, but I rather assign them,' says he, 'to the reign of Edward the First.' But surely Warton here seems to have attempted to explain separate and distinct things by the simple process of mixing them all up with one another. What were the *cantilenæ?* There is indeed a certain ancient song peculiar to the College

[1] pp. 93–4.

of which we find mention at a later date than this, and which will be found discussed in an Appendix. Whether this was one of the *cantilenæ* will ever remain a doubt!

Warton supposes the '*mirabilia mundi*' to be from such sources as Marco Polo, Mandeville, and other travellers of the Middle Ages. With his usual penetration he distinguishes Marco Polo from the herd. What would he have said to Colonel Yule's late splendid edition of the medieval Herodotus, which vindicates him from the aspersions of centuries!

The College Library, excellent for those times, was enriched by successive donations from the Founder and co-Founder and other distinguished men, among whom we find, in the next century, the names of Cardinal Pole, and Pole Bishop of Peterborough, specially mentioned. It has long been engulfed and superseded by Codrington's magnificent Foundation; but it did its work. Few Colleges, if any, can boast such students as All Souls in its earlier days. If the mass of them came more prominently before their contemporaries in the exercise of their function *ad orandum*, they certainly laid more stress than most on the injunction which in their Charter came first in order—*ad studendum*. Fuller, writing in 1662, describes All Souls as 'the fruitful nursery of so many learned men[1].' In the notice of All Souls at the foot of Loggan's print of the College in the seventeenth century we find,—'*usque ab exordiis viri celeberrimi prodierunt.*' It will not therefore surprise us to find that among the earliest entries on the College books occur notices of permission of absence, given to different Fellows for stated periods, in order that they may pursue their studies at foreign Universities. At the particular crisis of English literature which we associate with the later portion of the fifteenth century such a fact goes far to explain Fuller's remark. For after the fall of Constantinople in 1453, it was at Padua, Florence, Rome, and the

[1] Worthies, p. 293.

other great Italian centres of the Renaissance, that learned Greeks and precious Greek manuscripts were to be found; and we know very fully from Erasmus how successfully the English bees had gathered the Italian honey, and stored it up at Oxford. Of the ever-glorious names which have come down to us in this connection, two out of the six which Oxford specially boasts are All Souls men, and not the least distinguished. Dean Colet and Lily were from Magdalen, Grocyn from New College,—he afterwards became 'Reader' at Magdalen,—Tunstall from Balliol, Lynacre and Latimer from All Souls. Leland's catalogue of these luminaries is well known, but will bear repeating:—

'Lumina doctrinæ, Grocinus deinde secutus,
Sellingus, Lynacer, Latimarusque pius,
Dunstallus, Phœnix, Stocleius atque Coletus,
Lilius et Paceus, festa corona vivûm,
Omnes Italiam petierunt sidere fausto,
Et nituit Latiis musa Britanna scholis;
Omnes inque suam patriam rediere diserti,
Secum thesauros et retulere suos.'

Lynacre has been already mentioned as tutor to Prince Arthur. He was also tutor in Italian to Katharine of Aragon. His connection with All Souls dates from 1484, when he was elected Fellow, and Wood in his Athenæ tells us that 'by his close retirement at this College he improved himself very much in literature, and in a few years after, much more by his travels in Italy.' The study of Greek and the study of Medicine are the employments with which his residence in Italy are historically connected; he became Professor of Medicine at Padua, and eventually in England the founder and first President of our College of Physicians: finally, he established Professorships of Greek at both Oxford and Cambridge. But his grand position as the father of English medical science was not attained by any isolated study of particular subjects. His was the true philosophical mind which assimilated every particle of intellectual nourish-

ment the age could afford, the mind of the truly educated man, ὁ πᾶν πεπαιδευμένος. He achieved such various distinction that it has been questioned whether he was 'a better Latinist or Grecian, a better grammarian or physician.' In the succeeding age his fame as grammarian seems to have been the most generally known. 'That famous grammarian Linacre,' says the great-grandson of Sir Thomas More in his Life of his ancestor, written about 1627[1]. His eminence as a physician has been more asserted in modern times. His praises, however, scattered throughout the pages of Erasmus and Leland, are too well known to require special notice in this place.

To modern ears the name of Lynacre is not altogether unfamiliar. The father of a great and distinguished profession, his name has been justly preserved in the foundation of a modern Professorship at Oxford, and the lineaments of his shrewd countenance have come down to us in a famous contemporary picture by Quintin Matsys, an excellent copy of which now adorns All Souls. But in his own age he was scarcely more distinguished than his All Souls friend and literary colleague, William Latymer, whose name is forgotten. Of him Wood says that 'he left a name second to none for generality of learning[2].' He was elected Fellow of All Souls in 1489, and 'spent some years there in logicals and philosophicals;' then followed Lynacre, his senior by five years, into Italy, where he 'obtained the name of the most excellent Grecian and philosopher,' and on his return was associated with Lynacre and Grocyn in the translation of Aristotle[3]. His friendship with Erasmus is well known. Erasmus styles him,—'*vere theologus integritate vitæ conspicuus.*' The Roman Catholic author of Sir Thomas More's Life,

[1] In the Bodleian Library.

[2] Wood's Hist. of Oxford University. Orig. MS. Bodl. Lib.

[3] Tanner's Bibl. Biog.

quoted above, describes him (p. 95) as that wonderful man's 'verie great acquaintance,' and characteristically tells us that it is 'William Lattimer' of whom he is speaking, 'not Hugh the Heretike that was burnt, but another most famous for vertue and good letters.' Pace also was his intimate friend, and Cardinal Pole was his pupil. What can be nobler than Leland's encomium,—'*Latimarusque pius*'!

Yet one more luminary of that age comes forth to complete the trio,—the encomiast himself, the great Leland, the father of English antiquarians, if not of English history, regarded in its aspect of strictly accurate research. His name indeed does not appear, like those of Lynacre and Latymer, on the register of Fellows; but he 'spent many years in study at All Souls[1],' drawn there, it is said, by its proximity to Humphrey Duke of Gloucester's Library, which to this day 'forms the central portion of the great Reading Room' of the Bodleian[2], and residing no doubt under the patronage of one or both of the Fellows just named. Of him it might seem an insult to the reader to say anything in detail; but possibly a couple of short quotations may be acceptable to some. From Wood we will only take the following sentence:—'This incomparable worthy, by whose immature death (having been a walking library while living) Britain hath susteyned an irreparable loss[3].' Bale may be quoted at greater length, since he was Leland's personal friend.

'I was,' says he, 'as familiarly acquainted with him as with whom I am best acquainted, and do know certainly that he from his youth was so earnestly studious and desirous of our antiquities that always his whole studies were

[1] Wood's Athenæ; Burton's Corollarium vitæ Lelandi; Hall's Preface to Leland's Commentaries.

[2] Macray's Annals of the Bodleian, p. 8.

[3] Wood's Hist. of Oxf. University. Orig. MS. Bodl. Lib.

directed to this end. And for the true and full attaining thereunto he not only applied himself to the knowledge of the Greek and Latin tongues wherein he was, I might say, excellently learned, but also to the study of the British, Saxonish and Welsh tongues, and so much profited therein that he most perfectly understood them. And yet not herewith all content he did fully and wholly both labour and travail in his own person through this our realm and certain of the dominions thereof, because he would have the perfect and full knowledge of all things that might be gathered and learned both for things memorable and the situation of the same. And as for all authors of Greek, Latin, French, Italian, Spanish, British, Saxonish, Welsh, English, or Scottish, touching in any wise the understanding of our antiquities, he had so fully read and applied them that they were in a manner graffed in him as of nature. So that he might well call himself "Antiquarius[1]."'

That this intellectual giant should have died deranged will surprise no one. It is curious that All Souls should have supplied in successive ages the two scholars who, with the exception of Dugdale, have rescued from destruction the largest antiquarian spoils contained in the records of monasteries. Leland's Commission from Henry the Eighth to the monastic houses before their spoliation afforded him an unrivalled opportunity, and never was an opportunity better used. Nearly two centuries later Tanner secured what perishing fragments were still left.

Other Fellows of this period are noted in the pages of contemporaries for their learning,—several expressly as mathematicians,—but the three names already mentioned stand out supereminent, and are enough for the purpose of this book, which is to give a general sketch rather than a minute history. To some extent these men may be taken as representatives of the rest. Though each resided many years within the College, we find no special mention of them. Chichele's foundation

[1] Preface to the 'Laborious Journey and Search of John Leland for England's Antiquities.'

supplied them with all they wanted—books, leisure, daily food and clothes, learned society, religious Services, an orderly way of life. By a liberal interpretation of the Founder's intentions the College encouraged their visits to foreign Universities; and whatever merit may be due to King Henry the Seventh and Warham for their sanction or promotion of these visits, the enlightened conduct of the College deserves the most grateful recognition. They pass on the torch of literature for some forty or fifty years. Can it be doubted that these high-priests of the Renaissance left their mark on their associates as well as on the greater world for which they studied, travelled, wrote, and taught? The standard they erected was noble and lofty, and the College acknowledged it in the best of all ways—by the sort of men it sent forth into the world.

Besides the studies peculiar to that period of abounding energy,—General Literature, Mathematics, and Medicine,—those of Canon and Civil Law especially flourished at All Souls. This, as we have seen, was one great object of the far-sighted and experienced Founder. He evidently contemplated from the first the direct as well as indirect service of the Crown by his Fellows, and to that the Law, as it has been ever since, was the natural avenue. The sixteen Jurists made up nearly one half of his foundation of forty Fellows. These men, like himself, were in succeeding ages largely employed, as no doubt he intended they should be, in the public service. We have briefly traced the career of the first Warden, Dean Andrewe. Poteman, the fourth Warden, followed Andrewe in resigning his office. He too became a Commissioner under Edward the Fourth for treating with Scotland, and, eventually, Archdeacon of Cleveland. Broke, the seventh Warden, was Moderator of the School of Canon Law at Oxford, or as we should now call him, Professor. Warner, the eleventh Warden, who was twice Proctor for the University, twice Warden of All Souls, and Vice-Chancellor of Oxford, was also the first

Oxford Regius Professor of Medicine. He was at least once employed as a member of the French Embassy, and died Dean of Winchester. Weston was Lord Chancellor of Ireland, and was designated by Queen Elizabeth Chancellor of England, but died on the way to take up that office. At the end of the first century after the foundation of the College we find in the course of twenty years no less than four Fellows who became in turn the Professors of Civil Law in the University of Oxford, while in the reigns of Henry the Eighth and Elizabeth three Fellows figure as successive Deans of Arches, and others attain the post of Master of Requests, or become Chancellors of different dioceses. The precedents and traditions thus formed, with respect to Law, Medicine, and the Public Service, assume importance in the later history of the College. They are noticed in this place by way of illustrating the history of the times, and especially the wide and varied uses to which statesmen in those days put the Universities.

It would seem that it was this strong legal element planted in the College by the Founder which chiefly exercised the patience and temper of the successive Archbishops of Canterbury, from whose interesting letters, in their capacity of Visitors, we are enabled to gather numerous particulars for our purpose during the sixteenth and seventeenth centuries. And we may here remark that there is scarcely an Archbishop since Chichele's time from whom the College has not in its possession some document formally exercising statutable rights in the nomination of Fellows or officers when devolved upon the Visitor, or some letter dealing with matters which required his interference. Side by side with the Royal deeds which enrich the Archives (the Great Seal of England marking the succession of nearly every Sovereign), containing some Re-grant of lands, or some Pardon which secured the College from the charge of a possibly constructive treason, will be found in equally regular succession the stately seal of Metropolitan Canterbury. The

mere juxtaposition of these relics of the past tells its own story. It is a history in itself of English Church and State.

Yet it would be unfair to the lawyers to omit the fact that the first of many very sharp missives from Lambeth, now in possession of the College, relates to the alleged delinquencies of beneficed clergymen. It is from Warham, the friend and patron of the great All Souls men, Lynacre and Latymer, the last of the Archbishops who sought and obtained the stated prayers of the College for his soul. This letter is addressed to 'Maister William Broke, Wardeyne of my College of Alsoules in Oxford.' Like the two previous letters given above, it is undated, but must be limited by the tenure of both Warham's and Broke's offices to the period between 1504 and 1525. It commences with 'Brother Wardeyne,' and is directed, in a tone of great indignation, against a practice, which was creeping into the College, of persons pretending 'to kepe and enjoy their said place in the said College with their said Benefice, contrary to th'ordinances of your Statutes in that behalve.'

'Lothe wold I be,' says the Visitor, 'to suffer y^e^ mynde of y^r^ Fundator to be defrauded or broken . . . and if this sh^d^ be suffered to contynue by such colorable meanes and wayes, every felowe of that College being beneficed shall pretend to kepe both his College and also his benefice as long as it sh^d^ please him, wher in his roome another scholer might profit and doo good. . . . In case that they will fall to the plee of the Lawe I shall be contented to bere the costs and charges thereof myselve [1].'

The vigour with which Warham writes, the resolution he shewed to put an end to an abuse, and his mode of speaking of 'my College,'—which College indeed always styled itself, in letters to the Visitor, *familia vestra*,—are points worth observing in the last princely Primate of the unreformed Church. His letter seems to have been effective;

[1] Archives.

for no other instance of the abuse presents itself to our notice in the subsequent ages. Stagnation is thus prevented. A constant movement is going on, as the Founder intended it should go on.

This may introduce the remark that for the first two centuries after the Foundation of the College the succession to Fellowships is wonderfully uniform, and, in comparison with aftertimes, very rapid. Down to about 1640 the average number of vacancies in a year is four and a fraction. From 1640 to 1780 they are about three in a year. From 1780 to 1850, a little over two and a half in a year. How is this change to be accounted for? We shall perhaps receive fresh light as we proceed with our history; but no doubt there were many more openings for University men, and especially All Souls lawyers, at the earlier than at the later dates. No less than seven Wardens out of the first eleven resigned their office: none afterwards left their post till relieved by death or forced by violence. Perhaps also the increasing comfort and prosperity of the College, which began in the reign of Elizabeth, may have had the effect of inducing the Fellows to remain longer in such good quarters. Certainly the change, in the case of the Wardens, is synchronous with the provision of superior lodgings for them. But as these considerations are not of themselves sufficient to account for the growing increase in the average length of tenure of Fellowships, we shall have by-and-by to look further for a cause[1].

[1] This may be the place to mention that the term 'Fellow' is applied in these pages, for the sake of convenience, from the date of election, though for the first year the name of 'Scholar' or 'Probationary Fellow' is technically correct. Confusion is sure to arise unless this course is pursued in the narrative, since Founder's Kin were allowed the privilege of being 'admitted' at once, without the year of Probation.

CHAPTER V

All Souls at the Reformation.

1534–1558.

Why the College was spared at the Reformation — Renunciation of Papal Supremacy — The chief Wardens of All Souls — Cranmer's Visitation; and letter to the College demanding Soldiers — 'Corrupt Resignations' — Letter from Edward the Sixth — The Commissioners of 1549; their proceedings at All Souls — All Souls the first College in Oxford to possess 'Organs' and an Organist — Reaction under Mary — Papal government by Cardinals — Cardinal Pole.

How did the Reformation affect All Souls? How could an institution so eminently medieval and Roman Catholic in its Foundation escape the hand of the spoiler? The University Commissioners of 1852[1] have attributed it entirely to the prominent place given in the Statutes to the 'Collegiate element,' which eclipsed or atoned for the functions assigned to the College in relation to prayers for the departed. We must, with all respect, take exception to this mode of accounting for the fact. Collegiate institutions existing side by side with the Colleges which were spared, and equally devoted to purposes of study, fell without grace or mercy. Even the monasteries and nunneries were the common schools of the age;—for Winchester and Eton

[1] Report, p. 217.

were but just taking off a few lads to be trained on a superior system;—yet none were spared.

What then made the difference? It was nothing more nor less than the fact that while the one set of institutions were in the hands of monks and friars, these persons had been from the first expressly excluded from the other. Public opinion, or at any rate that of its influential classes, upheld the Crown in abolishing the first; the last were as necessary as they ever were for the benefit of the parochial clergy and for the general culture of society. It was only necessary that they should accept the Reformation like the rest of the country. This was not attended with much difficulty, though of course it could not be done without some opposition. The rivalry between the Colleges where no Regulars were admitted, and those where they were, was coeval with the foundation of every one of the former, and no assistance was likely to be forthcoming on their part when the doom of their rivals was pronounced. Henry and his advisers saw plainly enough the advantage they might thus gain in executing the projects they had at heart. In the persons of the monks and friars all the defenders of the Papal system, with its hateful Supremacy and corrupt Courts, received a death-blow. In the Colleges which were retained, and in the secular clergy which they supplied to the parishes of the land, remained the National as opposed to the Papal spirit, the inheritance of the principles which had never ceased to work against Rome from the earliest ages.

But more than this. The Tudor princes of the Reformation, with their highly cultivated minds, well understood the importance of retaining and using to the utmost these foci of intellectual light, through which alone they could hope to perpetuate the Reformation they were pledged to carry through. Greedy courtiers might suggest that the Universities and Colleges should be treated as the monastic

bodies had been treated; but to this the Tudors, though sometimes shewing how severely they were tempted, ever turned a deaf ear. If the medieval Founders had been alive, these Sovereigns argued, no doubt, patriots and statesmen as they were, and having openly expressed in their Statutes their sentiments with respect to the 'Pope's body-guard' of monks and friars, they would have agreed with the rest of the nation in casting away the yoke which had often so heavily pressed upon themselves. Through the Universities and Colleges alone could the change be made without a relapse into barbarism. They were the fly-wheel of the machinery which kept it going during the dead period between the loss of one motive power and the establishment of another. The Tudor Reformation was to be no return to the dark ages, but rather the intellectual as well as spiritual elevator of the whole population.

The history of All Souls illustrates these remarks. Not one word do we find as to the struggles which must have occurred at the early stages of the Reformation. Perhaps, however, we must not build too much on such negative inference; for if a certain Henry Gold, who was hung at Tyburn for his alleged concern in the affair of 'the Holy Maid of Kent,' was the same person as a Fellow of the College of that name and date (which seems more than probable), his example might not have been very encouraging to the rest. It is more to the purpose to observe that Leland had accepted the Reformation very early; and we may well suppose that his strong anti-papal influence was not unfelt in the College which had sheltered him for so many years. If the Renaissance had opened the eyes of any society, we have seen reason to think that it must have operated upon All Souls. And the connection of the College with Cranmer as its Visitor must also have had its weight on his 'family.' How much was due to fear of the King, and how much to conviction, we shall never know; but the renunciation of

the Pope by the College and its acceptance of the King as '*Caput Ecclesiæ Anglicanæ*,' dated September 28, 1534, is explicit enough, and is certainly very far from betraying any struggle or suspicion of compromise.

In this document Warden Stokeley and the Fellows

'with one mouth and voice assent and consent, under our common seal affixed in our chapter house' [no doubt the Ante-chapel, which was used for official assemblies of the College], for ourselves and each and all of our successors for ever, profess, testify, and faithfully promise that we, the said Warden and Fellows, and each and all of our successors, will always keep whole and inviolate a sincere and perpetual fidelity, deference, and obedience to our King Henry the Eighth and Queen Anne his wife, and to the legitimate descendants of him and the said Anne begotten and to be begotten, and that we will make the same known, preach, and persuade others wherever place and opportunity permit.'

They then, declaring Henry to be 'Head of the English Church,' pronounce that

'the Bishop of Rome, who in his bulls usurps the title of Pope, and claims for himself the headship of a Supreme Pontiff, has no higher jurisdiction granted him by God in this realm of England than any other foreign Bishop;' and promise that 'none of us in any private or public discourse will mention the said Bishop of Rome by the name of Pope or Supreme Pontiff, but by the name of the Bishop of Rome and of the Roman Church, and that none of us will pray for him as Pope, but only as Bishop of Rome; also that we will adhere to the said lord the King alone and to his successors, and will maintain his laws and decrees, renouncing for ever the laws, decrees and canons of the Bishop of Rome which shall be found to be against the Divine law, against the Holy Scriptures, or against the rights of this realm; also that none of us shall presume in any private or public discourse to twist anything taken from Holy Scripture to any other sense, but that each of us will preach Christ, his words and acts, simply, openly, sincerely, and according to the original pattern or rule of Holy Scripture and of the catholic or orthodox Doctors in a catholic and orthodox manner; and that each of us in his own prayers and in the customary common prayers shall commend to God and the

people first of all the King as supreme Head of the English Church, then Queen Anne with her offspring, then finally the Archbishops of Canterbury and York with the other orders of the clergy, as shall seem fit.'

Gutch has given this document in its original Latin form in his Collectanea Curiosa, and the only point worth noticing in it here is the omission of the famous qualifying words insisted on at an earlier date by Convocation ;—'*quantum per Christi legem licet.*' The College adopted the phrase of Parliament, and was satisfied, we may hope, with the King's explanation that he did not claim the Headship of the Church in spiritual things, but only in temporal things,—'in those we be indeed in this realm caput, and because there is no man above us here, supremum caput[1].' This after all was 'no new thing,' but only what even the zealot Gardiner, Bishop of Winchester, declared was 'a power which of Divine right belonged to the prince[2].' Though the title was offensive, and very properly changed by Elizabeth into that of 'Supreme Governor,' it did in reality only mean what is expressed in the Bidding Prayer, that the King is 'in all causes and over all persons, ecclesiastical and civil, within these his dominions supreme,' and that the English Ecclesiastical Courts and Councils were independent of the Pope's jurisdiction. This is the position of the Crown laid down by all the greatest lawyers as inherent in the Constitution, a position of which the Crown was deprived for a time, and which, as the lawyers phrase it, was 'restored' to it at the Reformation. On this we need not dwell. We might well expect that All Souls would be less careful in this matter than the assembled clergy of the realm. Its society was largely composed of lawyers, and the Universities generally had been prepared, long before the rest of the nation, for the great change now taking place.

[1] Wilkins' Concilia, iii. 704.

[2] De Vera Obedientia (published 1535).

A little later, July 3, 1544, we find the College obtaining a small portion of the monastic spoils. It still possesses a grant of lands which the Crown had confiscated, and which Warden Warner had bought for £200 8*s.* 2*d.* and 1 obol. This is sealed with the Great Seal, bearing the legend,—'Henricus Octavus, &c. . . Fidei Defensor et in terra Ecclesie Anglicane et Hibernie supremum caput.' More interest than usual attaches to this seal, inasmuch as the year 1544 was that in which the King's style was set forth for the first time in the above manner, and when it was made treason to object to the new form. A remnant of some previous inscription on the edge of the seal reminds us that the style had only just been altered, and suggests the anxiety of the College officials to leave no loophole by which the creatures of the King might invade the new acquisition of the community.

We have attempted to trace the general causes of the successful emergence of the Universities and Colleges from the dangers in which they were involved by the Reformation. This is the province of history, even when concerned with so small a society as a College; but it would be very unsatisfactory to neglect the strong personal influence exercised over its fortunes by the governors whom it possessed at critical periods. All Souls has been particularly happy in this respect. Through very nearly the whole period of the Reformation—through a part of the reign of Henry the Eighth, through that of Edward the Sixth, through part of Mary's, and most of Elizabeth's reign the College was steered by helmsmen of the greatest ability and good sense, by Wardens Warner and Hoveden; through the troubles of the Stuarts by Wardens Sheldon and Jeames; through the difficulties of the reigns of Queen Anne and George the First by Warden Gardiner. Each of these men, even the last, with all his faults, seems to have been specially adapted for dealing with the peculiar dangers to which the College was exposed, whether they arose from the changes of religion, the luxury and corruptions

which crept in with the lapse of years, the arbitrary proceedings of monarchs and courtiers, the political conflicts of the nation, or the factions which existed among the Fellows. It is from the progress of these various struggles that we shall reap our best crop of illustrations of English history.

In the case of the two first of these five remarkable Wardens we have to proceed very much by way of inference. The records are scanty; but their deeds remain. We must fill up the spaces as we best can. But before we notice their individual share in the transactions of the College we must clear the road by a brief narrative of its more general history.

There have been four solemn 'Visitations' of the College, since its Foundation, by the proper Visitor, the Archbishop of Canterbury of the day. To these must be added two other National Visitations connected with the Revolutions of the period, that by King Edward the Sixth at the Reformation, and by the Parliament during the 'Commonwealth,' both of which closely affected All Souls. Cranmer, Whitgift, Tenison, and Wake are the four Visitors who thought it necessary to adopt this stringent method of proceeding. Others are found occasionally taking credit to themselves for trying to obtain reforms by milder and less unpopular means.

Cranmer's Visitation took place in 1541, and was occasioned by a complaint of certain scandals among the Fellows. His Injunctions, which were the result of his Visitation, are prefaced by a declaration that he found 'enormous' abuses going on. These are only hinted at in so formal a document; but it is abundantly clear that the Colleges, like the monasteries, required examination at the hand of authority, and, if they were to survive, reform. . The religious and social perturbations of the times had no doubt relaxed many of the old restraints; but it is observable that so late as 1541 there is not a word in these Injunctions relating to any change of religion. Long before this the Bible had been set up in the parish churches, and we have

seen that the College had accepted Holy Scripture as the supreme standard of faith; but there is nothing about it in the Injunctions. Attendance at 'High Mass' is enforced. Every religious observance remains untouched. This was the early policy of the King and his advisers. The nation being set free from the uncatholic yoke of Rome, and everything being referred to the National Courts, the change was to shape itself by degrees, as the knowledge of the Bible increased and the teaching of the reformed clergy extended. Yet in this very year the King and Cranmer began to take more decided measures.

It would be tedious to quote much from the above body of Injunctions. Like most of the subsequent missives from Lambeth, if a little querulous, they breathe a spirit of good sense and piety. It is here that we find the first of a series of sumptuary laws, which we must take for granted were necessary, or at least not unsuitable for the times. The Warden and Fellows are to wear 'gowns reaching to the heels, shirts that are plain and not gathered round the collar or arms, or ornamented with silk.' The Fellows had evidently begun to receive their 'livery' in money. This is stopped. They are to receive it in cloth only. Dogs are to be rigorously excluded from the College. Penalties are imposed for absence from College, insubordination, quarrels and intemperance; for which last there are no less than four different names, with a saving clause at the end;—'*compotationibus, ingurgitationibus, crapulis, ebrietatibus ac aliis enormibus et excessivis commessationibus.*' No private servants are to be kept, no lads to reside in College. Newly-elected Fellows are not to be required to entertain the rest. But above all, there are no less than four clauses devoted to the practice which had crept in of taking money for the Resignation of Fellowships. The penalty is nothing less than the summary forfeiture of the Fellowship, whether the arrangement is made directly or indirectly; and as every

one must swear to obey these Injunctions, or undergo the penalty attached, the Archbishop no doubt thought he had extirpated the mischief. How little could he have foreseen what was to follow! It took a century and a half to eradicate the practice of which we have here the first notice!

When the sale of Fellowships, or, more strictly speaking, of Resignations, began cannot now be ascertained. It is possible, as before suggested, that it might have been gradually adopted by way of defence against the intrusion of nominees by persons in authority. At any rate it had now become, or soon became, the custom to consider the Fellowship just what, till the late Abolition of Purchase, a Commission in the Army was held to be in our own times, a marketable commodity. So much had been paid, so much was expected for it. Custom had covered all deficiencies. The Fellows ceased to consider that the Statutes were to be taken literally, and looked upon Visitors who interfered with the rights they conceived they had acquired as so many unjust judges. The system no doubt, like Army Purchase (which is not of course open to any charge of immorality), had some advantages as well as many faults. No doubt it is one of those causes, of which we were in search, of the rapid succession of Fellows; for the change to a more tardy succession commenced just when the abuse was at last abolished: but whatever else it did, it wholly defeated the principle of election, sapped the habit of deference to the Statutes, and generally demoralised the society. The gallant struggle made by successive Wardens and Visitors, assisted by a portion of the Fellows, to remove this scandal, and the success at last of Archbishop Sancroft and Warden Jeames, will occupy our attention by-and-by. We shall find persons winking at 'corrupt resignations' whose conduct will astonish us.

A second Visitation by Cranmer took place in the same year, but as nothing came of it, and as it was in reality only a

continuation of the first, it has not been reckoned by the College as a separate instance of this species of supervision.

We pass from these Injunctions to the only other document of public interest the College possesses from the hand of Cranmer. It is addressed thus:—'To my loving friend the Wardeyn' [Warner] 'of All Souls Colledge in Oxford give this—Hast, Hast.' It is the last in the College archives which is speeded to its destination with this ancient formula,—common enough in the later Middle Ages. It carries us back from the dress and dogs of the Fellows to French wars and the methods by which English armies were provided. It seems the Archbishop had already written to the Warden to furnish the King with one 'Demy-Launce[1] and two light geldings against his Grace's going this summer into ffraunce.' He now says that

'the King's Majesty's pleasure is ye shall with all diligence send up hither to London the said demy-launce and geldings if you can by any means possible find the same —so that they may be here by the iiij^{h} or v^{h} day of May at the furthest,—or this at the least, to send up one demy-launce well furnished, with an able man and all things thereto apperteyning. And hereof not to fail in any wise. Thus hertilie fare you well.

'ffrom myne howse at Lambeth the xx^{h} of Aprill.

'T. CANTUARIENS[2].'

The year in which the letter was written does not appear, but it is no doubt 1544, when Henry the Eighth, in July, invades France and takes Boulogne. The readiness to accept anything the Warden will be good enough to send, and the delay which had already occurred, seem to suggest, like Warden Hobbys' answer to Henry the Seventh, a want of zeal in the service of the Tudors as far removed as possible from the energetic spirit which we

[1] A Demy-Launce was the name given at this date to the ancient 'hobbler,' or Light-horseman. Grose's Military Antiquities.

[2] Archives.

shall see the College evince when we come to the period of the Stuarts. The Society does not yet seem to have relinquished the idea they expressed in their letter to the Monastery of Syon, that they were to return temporal favours by spiritual gold and gems. They did not yet see their way to melting down the splendid gilt and silver goblets which successive benefactors had already bestowed on them, and which formed as yet their only available wealth. Perhaps also they were not quite at ease about the ecclesiastical proceedings of the Court, nor admired the late expulsion of private servants and dogs, still less the interference of the Visitor with their arrangements as to Fellowships. The suddenness of the cessation of this brief war may account for our hearing nothing more of the 'demy-launce.'

The same spirit of independence may be traced in the reply of the College to a letter it received, in 1550, from Edward the Sixth. The young King, whose greedy courtiers had set their hearts on some All Souls property, told the Warden and Fellows that he was informed they had

'a certayne fearme belonging to your Colledge called Wedon Weston in our countie of Northampton, not being in your own occupation, which might be very commodious for our trustie and well beloved servant, Dr. Mendye our physician, and we have thought good by these our letters to require you that for our sake and upon the sight of these our letters you will immediately graunt unto our well-beloved servant a lease under your common seal for 21 years of the said fearme as you have done in others heretofore after the term expirithe of the lease that now is for such rents as ye have graunted the same in tymes past. In your doinge whereof we shall not only take that thankfullye, but also have it in remembrance when occasion shall serve to render any your honeste and reasonable sutes. Given under our signet at our manor of Greenwich the 26 Jan., 4 yere of our reign.'

The College was however equal to the occasion. Delay was all-important under such circumstances, and the Warden

was absent on the King's affairs. After an exceedingly humble preface the Fellows say:—

'It may please your Highness to be further advertised that at this present our Warden (without whose presence or at least wise consent we cannot by the orders of oure Foundation and Statutes entreat and commune of any such matters) is now absent with your Grace's ambassador in the French Court, and at his departure made a restraynte that we should do nothinge in any such case till his returne: for the which consideration and also for that by your Grace's lawes the consent of the Hedde is specially requir'd to every effectual grant that passeth from a House incorporated, we cannot lawfully and without danger of perjurye accomplyshe your Grace's request herein: we most humbly beseech Almighty God longe to preserve your Majesty in all godliness and prosperity to the singular wyl and comfort of us all your Grace's most loving and obedient subjects.'

'From your Highnesse's Colledge of All Soules in Oxforde the 13 Feb.[1]'

We are unable to trace this matter any further. The College having soothed the young King, we may well imagine that Warden Warner, on his return from France, found himself able to deal with his brother physician. Greek met Greek. The letter reminds us of the former one written by Edward's uncle, Prince Arthur. All Souls seems to have been a sort of practising ground for the Tudor boy-princes, not unlike the little cork on which the playful kitten exercises its nascent powers before it breaks ground on rats and mice. Perhaps when other Colleges contribute their history we shall find that All Souls was not without companions.

The year before this correspondence, however, the College had been forced to submit, like all other such institutions at this time, to an authority which could not be gainsaid. How far they were a consenting party we know not, but we hear of no resistance to the Royal Commissioners of 1549,

[1] Transcribed into MS. book *penes custodem.*

whose proceedings effected the great change which had been so long impending. The Warden must certainly have been not unfavourable to their revolutionary acts, or he would not have been employed by the Crown in the very next year; and if there were malcontents, as subsequent events shewed, probably the majority were glad to see the sword descend at last, and to breathe freely once more. Cranmer, as he was not on the Commission, was not responsible for the acts of these Commissioners or the details of their Injunctions; and it is easy to see that they betray the hand of Protector Somerset and of Cox, Dean of Christ Church, the leader of the iconoclastic party in Oxford at this time. Nothing was now left untouched. They made a clean sweep. All portions of the Statutes which did not suit the Reformation were abrogated. The old Services were abolished, and the new substituted. All the young men are to learn the Catechism. There is to be 'but one altar, or rather Lord's table, in the chapel.' 'All the rest of the altars, images, statues, tabernacles, the things they call organs, and all similar monuments of superstition and idolatry, are to be altogether removed.'

This portion of the Injunctions was most completely, not to say ruthlessly, executed. The times no doubt required some sacrifice of medieval art, but there was no discrimination. The magnificent reredos, of which mention has already been made, was now 'defaced.' Every one of its fifty statues and eighty-six statuettes was thrown down, and broken to pieces; while the projecting portions of the structure were chipped away till the whole was left a ruin. The altars were destroyed and the 'Lord's table' placed in the centre of the Chapel. The mass of the Chapel furniture shared the same fate, though we shall see that a considerable remnant gave very serious trouble to the authorities of the State in the reign of Elizabeth. We have no certain knowledge whether the stained glass windows of the Chapel were

destroyed at this time; but it seems probable that there was at least a partial destruction, as there is no mention of any such act in the time of the Commonwealth. The four great windows of the Ante-chapel, however, by some miracle escaped at this time the hand of the spoiler; and their great beauty, now at last visible, since skilful hands have removed the soil of ages, bears silent witness to the barbarism which made havoc of the rest.

The 'things called organs' ('*quæ vocant organa*') were also no doubt destroyed at this time; and never since that date has 'Cecilia's mingled world of sound' pealed forth its note of praise within the precincts of All Souls. Indeed the memory of there having ever been an organ in the College Chapel had so faded from men's memories that the question profoundly exercised the antiquarian mind of Hearne in the last century. He registers in his Diary[1] the information he had received that 'provision had been made for an organist at All Souls long before the time of Henry the Eighth,' and again one of the Fellows 'confessed they had formerly a little organ[2];' and he quotes with triumph a passage in the Statutes of King's College, Cambridge, where provision is made for an organist. His remarkable sagacity had set him on the right track, but it would have relieved his difficulties if he had known that a passage from the University archives, which has been printed in Mr. Anstey's Munimenta Academica[3], and which had escaped both Wood and himself, proves that All Souls possessed an organist, at least as early as 1458; for the 'organ-pleyer of All Souls' was convicted of a very serious offence, 'wept bitterly,' and was condoned after three hours' imprisonment on the intercession 'of Master Kele, his Warden, who had a good hope he would behave better in future.' Further, we have '*unum par organorum*' mentioned in an inventory of

[1] 108. 61. [2] 108. 113.

[3] vol. ii. p. 674.

All Souls property which Gutch[1] believed might be of the date of the Founder, but was 'certainly taken before the death of John Druell' (the 'clerk of the works' when the College was built); 'for on the back of it a book is mentioned to be in his hands. He died in 1462.' This 'pair of organs' forms part of the 'Contenta in Vestibulo,' along with the '*tintinnabula*,' the '*Paria candelabrorum de Latyn cum octo nasis*,' the '*vascula pro aqua benedicta cum 2 spryngill*,' and sundry missals, legends, &c. which were kept in the sacristy forming, in all probability, a portion of the Ante-chapel, or possibly of some chamber leading out of the east end, all traces of which have disappeared. Some have thought a 'pair of organs' to mean a large one for grand occasions and a small one for ordinary Services; but this can hardly have been the case in such institutions as All Souls. Others say it is an archaic form, like 'pair of stairs.' And where not called 'a pair,' we find that the plural is always used, as in the Commissioners' Injunctions, the exact meaning of which term is still a matter of dispute among the learned in music. It seems at least safe to say that it meant that there was 'more than one pipe[2];' for the pipe itself in early times may perhaps have been called the 'organ.'

From what has been said about the wealth lavished on the Chapel of All Souls we might expect to find that it took precedence of all other Oxford Colleges in this matter of organs. If the 'organ given by William Port in 1458' to New College was the first that College possessed,—and no earlier date is claimed[3],—All Souls must have preceded the more ancient foundation, or it would not have had an 'organ-pleyer' in that same year. Nor does any other College appear as a competitor; Magdalen had an organ in 1481[4]. The introduction of organs into Colleges was in fact a movement of Henry the Sixth's reign.

[1] Collectanea, vol. ii. p. 257.

[2] Dr. Rimbault's History of the Organ, p. 43. [3] Ib. p. 79.

[4] Bloxam's Register of Magdalen College, Introd. p. xcvii.

Nor does any other College seem to have preceded All Souls in the possession of a special organist,—'the duty of organist being probably discharged by some one or other of the Vicars Choral[1].' The modern editors of the work here quoted have to descend as low as 1580, when the first stipendiary organist is found at Trinity College, Oxford. No mention of an organist is indeed found in the Statutes of any of the Oxford medieval Colleges, but the 'organ-pleyer' of All Souls can hardly have been anything else. This was his official designation in 1458.

Though the Injunction as to organs had thus a definite meaning in the case of All Souls, it is less easy to understand how that which relates to bell-ringing could apply. There seems no reason to suppose that the College ever possessed more than one bell, and that a little one; but the Commissioners indite almost a homily on the subject, possibly the same as they sent to other Colleges and parishes which really had the means of offending their susceptibilities, and by way of warning for the future to one that had not. They declare that the noise is most injurious to study, that it can give no pleasure to the living nor help to the dead, especially 'that rustic sort of ringing which reminds one of people quarrelling or insane.' This is never to be used on any account, except in the one case of fire. The summons to Chapel is to be effected by a gentle tinkling, '*leviore tinnitu*,' and a 'passing-bell' may be rung if the dying person request it.

The regulations as to dress are still more minute than Cranmer's own. No one is to wear outlandish or 'prodigious' dresses, nor to have his gown sewn up in front, or to go about without a cap.

But it would be most unjust to omit the observation that while some of these Injunctions appear trivial enough, others evince remarkable sagacity. Some indeed there are which,

[1] Hawkins's History of the Science and Practice of Music, vol. i. p. 264.

at a distance of more than three centuries, have a peculiar significance with reference to reforms that have engaged the anxious attention of modern times. For example, non-residence for more than six months, except for illness or other just cause, or the King's service, is to involve forfeiture of the Fellowship; no one is to hold a Fellowship for more than twenty years unless he is a public Professor; the College is not to do the duty of a school, but the training of its inmates is to commence with Mathematics,—the knowledge of Grammar and the Latin language being the condition of admission; the condition of poverty, 'since all Colleges were built for the children of the poor (*inopum*),' is to be more strictly guarded in order to prevent rich men from taking advantage of the Founder's bounty; and examinations after all lectures are to be enforced. Some notice is even taken of a 'burning question' of our own day, the higher education of Irishmen. One of the Fellowships is always to be in Hibernian hands.

The Ordinance which excluded scholars in Grammar and Latin from Colleges had a sweeping effect in Oxford. Up to this time the Oxford boys had been taught in the Colleges, as they had been in the monasteries before their suppression; and now that this also was denied to the citizens, we find from Wood[1] that they made a formal remonstrance on the subject. But the Visitors were quite right. The Founders had not intended the Colleges to be boys' schools. We shall see presently that a custom soon obtained of educating 'poor scholars' within the walls; but those were young men, not boys.

The Commission took a still higher flight. Part of its object was to rearrange the whole system of Colleges with a view to the pursuit of different lines of study in each. All Souls was to be exclusively devoted to Civil Law, New College transferring thither its 'Jurists,' and All Souls in its turn

[1] Annals, 1549.

handing over its 'Artists' to New College [1]. Nothing, however, was effected in this direction. Perhaps the opinion may be here expressed that it was fortunate the attempt failed. Not only would it have been an utter defiance of the will of the Founders, but the Universities would have received at a critical moment an impulse in the wrong direction. Instead of clergy and laity being educated together within the same walls, learning to respect one another as brethren of a common Foundation, with a common basis on which to found their subsequent studies, we should have had the foreign religious 'seminary' and the University-fashioned lawyer. Instead of the character of the English gentleman we should have had the foreign *savant*. Instead of a system of professions gathered round common centres in the Metropolis, and casting off antiquated theories by the wholesome rivalry of practice, we should have been bound by chains which would have caused us to lag behind the ages instead of leading them. Instead of a Collegiate system which, though often subject to abuses, has been the salt of English life, we should have had the Roman monastery under another form, and the class-separated, narrow communities of less favoured lands, deriving but little illumination from the varied nature of the culture which up to a certain point, and extending well into manhood, our English Universities have hitherto happily fostered.

With the exception of the anti-Roman changes made by these Injunctions, very little of them seems to have been taken by the College for its permanent guidance. The Visitation was looked upon as exceptional and of a temporary character. The Statutes, as far as they were not affected by the Act for the Suppression of Chantries, or by the changes which Church and State had adopted, resumed their authoritative character, and the reigning Visitor, whoever he might be, again asserted his interpreting function.

[1] Wood's Annals, 1549.

This result was doubtless very much due to the violent reaction of Mary's reign. The ultra-Protestantism of Edward's Commissioners was felt to have made them inadequate exponents of the national mind and of its instincts with regard to the Universities. So also with the effort of Rome to resume her medieval position under the auspices of Queen Mary and Cardinal Pole, Gardiner and Bonner. The moderation of Queen Elizabeth's policy, on the other hand, its permanent character, after two such brief periods of violent oscillation, and the Catholicity of its Protestant settlement, commended itself to the ancient institutions which had been hastily reformed under Henry the Eighth and his son. It is to her reign that we must look for the steady settling down of All Souls to its work under the new conditions of the age, relieved from revolutionary terrors and political anxieties, and winged with the fresh impulses which that consummately gifted Sovereign knew so well how to apply. This last phase of the Reformation will, however, require a chapter to itself. The present chapter may conclude with the few words necessary to describe the effect of Mary's reign upon the College.

Besides the shortness of the time over which the Roman Catholic revival extended, we must reckon the constant changes in the Wardenship of All Souls during that period as a chief reason why we hear so little of any reactionary movement in the College. At Magdalen, for instance, we find the restoration of the Chapel to its ancient condition making a remarkable progress before the death of the Queen. It was indeed Pole's own College, while All Souls was only his officially; and it is possible that more changes were made at the latter than we know; but we do not hear of any rehabilitation of the old condition of the Chapel further than we can gather from the obstinate struggle in the next reign to retain the plate and service-books which had in the time of Mary been brought out

from the hiding-places where they had been secured from the eye of Edward's Commissioners. Warner retained his Wardenship during the first two years of Mary's unhappy reign. As a reformer he no doubt checked the Romanist development as far as he could, but when the persecutions began he thought it time to resign. Cardinal Pole now seized the opportunity of putting his own chaplain, Seth Holland, into the Wardenship, and his deed of institution is the single record of the Cardinal's Visitorship possessed by the College. The style in which it is set forth may be interesting to those who are aware of the importance, in the medieval struggles between England and Rome, of the position assigned at different periods to the Papal Legates.

The public are indebted to Dean Hook for having ably popularised this subject. Referring the reader to the fifth volume of the 'Lives of the Archbishops of Canterbury,' it is enough to repeat here that nothing had so roused the ire of the English people as the Ultramontane change effected in this respect by the Popes after the collapse of the General Councils of the West. We have noticed Archbishop Chichele's failure to make any effective resistance. Up to his time the Primate of all England was the natural and official governor of the Anglican Church, although he had, at least since the time of King John, held an ordinary legatine Commission from Rome. Legates *a latere* had only been sent from Rome on special occasions for very short periods, retiring when the object for which they were sent was accomplished. The Metropolitan was the 'Ordinary.' The conspiracy which revolutionised this ecclesiastical settlement was hatched by Pope Martin the Fifth. That Pope and his successors claimed to be the 'Universal Ordinary,' and to govern the English Church through Legates *a latere*, permanently settled in England as Cardinals, all other dignitaries being placed under their orders.

Forced from this position for a brief period by the determined attitude of Henry the Fifth and the English people, they only retired to make the better leap after the recoil. The Pope could not have chosen a better agent than the resolute Beaufort, nor a better reign than that of Henry the Sixth. The Primate, after the death of Beaufort, is for half a century a Cardinal, the mere confidential agent of the Pope. He may regard himself as *legatus natus*, but he acts as *legatus a latere*. Wolsey, Archbishop of York, as Legate *a latere* and Cardinal, took precedence of Warham, Archbishop of Canterbury, who was neither. The law of Præmunire did indeed still make such a position technically illegal, as Henry the Eighth, though he had begged the legatine office for Wolsey, notably pretended to discover; but precedents had virtually settled the question,—till the nation, under his guidance, once more threw off the yoke.

Cardinal Pole, resuming the office of his Papal predecessors, takes care to call himself, in the document addressed to All Souls, '*legatus natus et legatus a latere*.' Perhaps this was not novel; but if any one might have given precedence to the latter title, it would be the man whose special mission was to 'reconcile' England to Rome. Yet he thinks it wise to conciliate the well-known stubborn English feeling of independence by giving the place of honour to the time-honoured and undisputed title of Canterbury.

Soon after this the College must have been called upon to witness, within a few yards of their gates, the horrible torture and martyrdom of the late Archbishop of Canterbury, their own old, long-familiar Visitor, the sorely-tried Cranmer. Of their feelings on the subject no record remains. Their new Warden was not the man to permit any sympathetic demonstration, even if such a thing had been desired or possible.

The fate of this Papist Warden, for whom Pole also procured the Deanery of Worcester, was hard. He resigned his

Wardenship before Mary's death, but, refusing compliance with Elizabeth's religious changes, was committed to the Marshalsea, and died there in 1560. This harshness was perhaps caused by his intimate relations with the Cardinal. He it was who took Pole's last message to Mary, exhorting her, as it is believed, though it will never be known, to stand firm in the Roman Communion to the end.

Shortly before the death of the Queen, another Papist Warden, with the appropriate name of Pope, was elected under Pole's auspices; but this Warden died before he could reach Oxford. He was Archdeacon of Bedford. Was it the consuming excitement of such a furious religious struggle which carried off so many Church dignitaries at this period? Elizabeth, we know, found six bishoprics vacant, and four more bishops died before she proceeded to fill up the Sees. The vacancy at All Souls was instantly supplied on her accession by the return of Warner.

CHAPTER VI.

All Souls under Queen Elizabeth and Archbishop Parker.

1558–1581.

The Anglo-Catholic Settlement — Warden Warner, Sir John Mason, and Sir William Petre — Parker and the High Commission Court — Their struggle with the College on 'monuments of superstition' — Parker's letters — The Queen and Leicester.

NOTHING can be more interesting than to watch the details of the process by which three of the ablest persons whom this country ever saw at the head of affairs set to work to educe order out of chaos. Queen Elizabeth, Cecil, and Parker do not receive the homage of the present generation to the same degree as in times past. The extreme delicacy of their task has never yet perhaps been duly appreciated. Even the little sphere of All Souls will throw some light upon it.

One of the very first things to be done was to re-assert the Anglo-Catholic character of the Universities and Colleges; and this with the least possible shock to the still formidable Romanists, with whom the Queen was by no means anxious to break. For this purpose no one could be more fitted than the veteran Warner, who had presided over his College during portions of the last three reigns, and held the highest offices in the University. He not only resumes his old post as

Warden of All Souls, but is made one of the Royal Visitors of the University, along with Bishop Cox and others, for the purpose of 'removing superstitious offences' and expelling the Papists who refused to conform. He is soon afterwards preferred to the Deanery of Winchester. As Visitor, it must have been his business to expel from All Souls two of the Fellows, Dolman and Dorman, young Papists elected in Mary's reign, who straightway became Romish priests. Yet the one evidence we have of his ecclesiastical conduct as Warden in Elizabeth's reign is the retention of the old plate, vestments, tunicles, &c., which, after his death, it cost Parker and subsequent Commissioners years of persistent effort to remove from the possession of the College! We must infer either that they had been carefully concealed from his knowledge, or that, like Elizabeth, he was in favour of a ceremonial not very different in itself from the medieval type, and was content with a Reformation of a more moderate kind than that of the extreme party. He had paid the debt of nature before the conduct of the Pope and the foreign Romanists, rallying round Mary Queen of Scots as their centre of opposition to Elizabeth, forced the Queen and her advisers into a more decided course of action.

This then will be the place to sum up the career of one whose name has frequently come before us. It is a typical case. Warner must have adopted the principles of Henry the Eighth's Reformation at an early date; for otherwise, though he had been Public Lecturer in Medicine to the University for twelve years, he would hardly have been made the first Regius Professor of Medicine in 1535. The next year we find him elected to the Wardenship of his College, where his influence must have been felt previously in the matter of the Supremacy, and where a firm but gentle hand must have been required in the violent perturbations which followed his election. In Edward the Sixth's reign we must infer that he had at least given no dissatisfaction

to the authorities who displayed their iconoclastic propensities at All Souls, or he would not have been dispatched on the French Embassy in 1550; although, indeed, it is possible that they might have been glad to get him out of the way for a time. In Mary's reign we find him remaining at his post for two years, and, in the deed of institution of his successor, Warner's resignation is said to be 'free and spontaneous.' No doubt it was. He moderated the change, we may believe, as far as he could, and gave it up when he could do so no longer. He resigned his Regius Professorship in 1554. But once more he contrives to be no sufferer in the transaction. He not only retains his other preferments, but acquires a fresh Rectory as late as 1557. He must have conformed to the religion of the State in some sense. Perhaps his interest at Court secured him from being asked too many questions. Once more, however, the Reformation to which he had been so deeply pledged is patronized from the throne, and promoted on principles which he could well accept. We have noticed his part in it.

It is clear that we have nothing of the spirit of the martyr in all this. Whatever else he was, he was not that. He was a distinguished physician and teacher, a practical administrator, a capable, trustworthy man for State affairs, exactly the man whom the Tudor princes liked to select from the crowd and employ in the public service. A philosopher no doubt, he was disposed to enter less into theological disputations than the working clergy, or even those laymen whose sense of the overwhelming importance of the Unseen—(to attribute none but the highest motives)—led them to throw away life itself in the cause which they espoused. But of those lay-people who suffered under Mary it has often been remarked that but few are to be found of the upper and more cultivated classes. The resistance which saved England came from the bishops and clergy on the one hand, the middle and lower classes on the other.

We have said that Warner's was a typical case, and suggested that he and the College had friends at Court. It was certainly a case not uncommon among All Souls men; and two of these were just then so powerful at head-quarters that their co-operation with the Warden of All Souls may well be taken for granted. Sir John Mason and Sir William Petre were elected Fellows of All Souls in 1521 and 1523 respectively, Warner in 1520. Beginning thus their career together, they pursued it on much the same principles. Each of these two distinguished 'Jurists' took service under the Crown, and held the post of Privy Councillor through the reigns of Henry, Edward, Mary, and Elizabeth. It is plain that they, like so many others, did not think the changes in religion sufficiently important to place any bar between them and their official routine of business. They were both of them devoted to the well-being of their beloved Alma Mater, and formed no unimportant links in the chain which bound together the Crown and the Universities. Petre was Secretary of State as well as Privy Councillor. He was also virtually the Second Founder of Exeter College, so munificent was his contribution to its endowments. Mason was Chancellor of the University in Edward the Sixth's reign, and again in Elizabeth's. Petre was indeed a member of the Royal University Commission of 1549, but the remarkable similarity on the whole in the lives of three such men must strike every one. It is easily accounted for when we reflect that Lynacre had just founded the College of Physicians in London (1518) when they were elected into the College which he had adorned at Oxford, that William Latymer's fame was still in its meridian at that time, and that Leland must have been their friend and brother student. High cultivation and great offices may have made them 'men of the world,' but it had taught them moderation. Their crown is not of the same refined gold as that of Ridley, Bradford, or Rogers; but they represent in some degree that marriage of faith and

reason, that *via media* along which the Reformed Church of England has moved since their day, which has enabled her to retain within her fold the greatest intellects as well as the humblest believers, and which has made her the centre of light for all other reformed branches of the Church.

To bring this notice of Warden Warner to an end, it may be remarked that he set the example which Duck so excellently followed on a larger scale, of writing a brief account of the Founder of his College and the circumstances of the foundation. From this we have already made the only extract necessary for the present sketch. It is also what we should expect from his good sense and enlarged experience, that he determined to remove one cause of the constant resignations of Wardens by supplying them with superior accommodation. Up to this time, though the Statutes of All Souls gave a very fitting share of the College government to the Warden, he was in other respects much in the position of a Senior Fellow. He lodged in the simplest way, in two rooms, within the south-east corner of the one quadrangle common to all. It was Warner who built the small but commodious Warden's lodgings which did excellent service till the days of Queen Anne, when they in their turn were voted too small, and gave place, through the munificence of Dr. Clarke, to those which form the present abode of the Wardens of All Souls. Warner's rooms, which now occupy the street front of the eastward quadrangle, were then handed over to the Fellows; but the beauty of their chief room and its handsome Elizabethan ornaments still remain as a monument of the builder's good taste. At any rate he attained his object. The Wardens no longer resigned, but were contented to live and die at their posts.

There is indeed something to be said against this departure from ancient simplicity, but we are only noting historical facts. The times were rapidly changing. The celibate idea was no longer in fashion. Wardens, like their Visitors, might now

be married men. A century and a half later Archbishop Wake, wearied with the perpetual quarrels between the Warden and Fellows, some of which grew out of the married state of the former, remarked that the Founder never contemplated married Wardens. 'Nor,' replied Warden Gardiner, 'did he contemplate married Visitors.' It is unfortunate that there should be no picture or bust extant to remind us of the personal appearance of one who did such service in his day as Dr. Warner.

We now come to a more important person still in the history of the College at this time—the great man through whose instrumentality the Church of England was started, in the reign of Elizabeth, on her Anglo-Catholic course—'Protestant,' as he termed it, against Rome [1], Catholic against the Puritans—Archbishop Parker. He appears in three distinct ways before us in connection with All Souls;—by his Injunctions as Visitor, by two letters from him in the same capacity, which are still in the archives, and by his correspondence with the College as a Lord High Commissioner.

The first may be summarily dismissed. The only point in his Injunctions worthy of observation is the careful and elaborate provision he makes, like Cranmer, for ascertaining that there was no corruption in the resignations of the Fellows of the College, and for the expulsion of offenders. But his method was as defective as his predecessor's. It fell short of the personal oath which Whitgift afterwards devised, Abbot made effective, and Sancroft at last conclusively applied.

His dealings with the College as Lord High Commissioner are more instructive, and though the whole correspondence has been printed by Gutch in his Collectanea [2], a short summary may be given here.

The first letter is dated from Lambeth, March 5, 1566. It is written to Warden Barber by Parker himself.

[1] Hook's Archbishops, iv. (New Series), p. 221.

[2] Vol. ii. pp. 274–281.

He has had 'information of certain plate reserved in your College whereat divers men justly be offended to remain in such superstitious fashion as it is of,' and says he had already 'moved' the Warden 'to declare to the company of that Fellowship, for avoiding all suspicion of superstition, that the said plate should be defaced, put into some masse for your howse, whereof it may have need hereafter, and so safely to be conserved in your treasury;' and 'for that I have not heard what you have done by these my letters, I do require you to make a perfect inventory containing the form and fashion of the said plate, and also the number and fashion of their vestments and tunicles which serve not to use at these days.'

This and the former letters (of which we know nothing) seem to be written as Visitor. It is signed, 'From my howse at Lambeth, Your friend, MATTHEW CANT.'

The next missives are from the Archbishop as Lord High Commissioner, along with other members of that Court. But the question at once presents itself;—why should the Archbishop only have begun to address himself to the removal of the scandal in the eighth year of his Primacy? Was Warner so much respected that no one thought of giving 'information' till he was dead? Parker speaks of letters in which 'I moved *you*, Mr. Warden,' (Barber)—no one else. Or had the authorities winked hard at these 'monuments of superstition,' and only 'moved' when the 'Vestiarian controversy' brought back such matters into prominence? It would at any rate be quite in accordance with the policy of the early years of the great Queen if no very minute enquiries were made into the subject. Parker would know as well as any man the strength of the belief, which no doubt prevailed in the College, that they could not consistently with their Statutes—for the twenty-sixth chapter is profusely explicit on this point—alienate or convert the Chapel 'vestments, chalices and jewels, books and other ornaments,' to any other use than that for which they were originally given; and knowing how more

than thoroughly the Commissioners of 1549 had done their work on the fabric, he would have no desire to bring the matter to a point unless obliged. In this very year, however, the 'Vestiarian controversy reached its climax[1].' Puritans on one side and Papists on the other were resolved no longer to remain quiescent. Strong measures had become necessary at Oxford and elsewhere against both extreme parties. Eye-shutting would serve no longer. The College which men called the Archbishop's 'own' could no longer be allowed to retain what seems by the 'Inventory' sent in obedience to Parker's letter to have been as complete a list of 'Mass-books, Portuasses, Grailes, Antiphoners, Processionals, and Pricksong-books,'—there is also one 'Manual,' one 'Invitatorie book,' and one 'Legend,'—as the most ardent Romanist could desire.

These letters had no effect whatever. The College had not yet measured the difference between Romanism and Catholicism, the old Church reformed and the old Church unreformed; nor could the critical condition of the nation permit the judgment of narrow communities to override the larger requirements of the State. The Act of Uniformity, faithfully executed, could alone secure the Elizabethan Establishment. A year elapses; and Parker again speaks, but now at the head of a portion of the High Commission. They understand that 'you do retain yet in your College diverse monuments of superstition which by public orders and laws of this realm ought to be abolished as derogatory to the state of religion publicly received.' The Warden is ordered by his 'loving friends' to repair to Lambeth and bring with him a copy of the Statutes and two of the Fellows who are known to be refractory. A month later the Warden is ordered, 'divers weighty causes us specially movyng,' and 'all excuses and delays set apart,' to send four more refractory Fellows before the Commissioners, who

[1] Hook's Archbishops, iv. (New Series), p. 399.

are 'not to depart without our special licence.' This was followed, in four days, by an order to the Warden from the Lord High Commissioners, with Parker still at their head, to

'call the whole fellowship then present within the College together, and upon the common consent of all or the greater part of the said fellowship so gather'd he shall cause to be defac'd and broken such church plate as is in their College or custody appertaining to the use of the church or chaple, except six silver basons with their ewers or crewetes, one tabernacle gilt with two leaves set with stones and perles, two silver bolles, a silver rodd and three Processionals. . . . Item that they send up to the said Commissioners their two books of the Epistles and Gospels, reserving unto themselves the Images of silver of the same defac'd in manner aforesaid.'

A certificate of compliance with this order is to be made within ten days, and all 'discontented' Fellows are to be sent up to the Commissioners if at any future time they 'misreport or gainsay the order.'

It will hardly be believed, but all this was just as ineffectual as the foregoing; or at any rate, if some sort of progress was made, there were sufficient 'monuments of superstition' of the same sort left in 1573, six years later, to demand all the energy of the Puritan Commissioners of that date! But the party struggle having become more violent, and being in this case, no doubt, stimulated by the circumstance that Parker's own domestic chaplain had been elected Warden in 1571, so affording a suspicion that he favoured the retention of some of the offensive articles, success crowned the efforts of the Commissioners at last, who had, indeed, the advantage of being on the spot to superintend their work.

This final effort curiously illustrates the critical nature of the duel now being fought out between the Anglo-Catholics, represented by Parker and the Queen, and the Puritans, as patronised by Leicester. In May, 1573, the Oxford Commissioners, Laurence Humfrey, President of Magdalen, two Canons of Christ Church, and Cole, President of Corpus,

'are by credible report inform'd that as yet there are remaining in your College divers monuments of superstition undefac'd: These be, by virtue of the Queen's Commission to us directed, to wyll and commande you forthwith upon the syght hereof utterly to deface, or cause to be defac'd, so that they may not hereafter serve to any superstitious purpose, all Copes, Vestments, Albes, Missals, Books, Crosses, and such other idolatrous and superstitious monuments whatsoever, and within eight days after the receipt hereof to bringe true certificate of their whole doinge herein to us or our Colleagues, whereof fayle you not as you will answere to the contrary at your perill.'

Not only do the eight days pass, but nearly eight months; the slippery College is not even yet caught! These very Commissioners are on their trial! Humfrey and Cole are the leaders of the Oxford Puritans, and that faction is at this time making head all over the country. The Queen in vain attempts to suppress their celebrated 'Admonition to Parliament.' But her Council are as resolutely determined to put a stop to their proceedings at Oxford as the Puritans to crush the All Souls 'monuments of superstition.' In a few days after the missive of the Commissioners to All Souls the Vice-Chancellor of Oxford receives a sharp letter from the Council requiring him to suppress certain books which are being briskly circulated in the University by the Commissioners' own party, the Puritans! Was this a dexterous parry procured through Parker by his quondam Chaplain? We know not; but from whatever cause the Commissioners take a long time to think over the matter before they return to the charge.

In December, 1573, they are strong enough to take decisive measures. They complain that the College has

'hitherto neglected' to make the 'true certificate directed last sommer;' and they 'will and commande yowe to make yowre personal appearance before us her Majesty's Commissioners or owr Colleagues in the President's Hawle of Magdalen College in Oxford on Tuesday nexte, which shall be

the XXIX of this presente month of December, at one of the clocke in the afternoone, bringing with yowe a true certificate of yowre whole doinges in the said defacing of the sayde Monuments of Superstition, whereof fayle yowe not as yowe will answere to the contrarye at yowre perill, and retorne back the former and also this Writ with yowe.'

It was impossible to evade so explicit an order as this. The College gave up the struggle. Successive Visitors, some of whom would certainly feel with Laurence Humfrey, make complaints of different kinds, but we never again hear of this particular cause of offence. Even the exceptions permitted by the High Commissioners are lost to sight. Of the wreck of Roman Catholic Ritualism to which the early Wardens of the Reformation so pertinaciously clung, nothing has come down to the present day except the shabby little 'silver rodd,' probably used in those times by a verger!

Thus the third act of the Reformation was at last complete. The acknowledgment of the Royal Supremacy and Edward's Act of Uniformity had been followed by the final suppression of the Roman Ritual. The Massacre of St. Bartholomew had displayed the gulf into which the Protestants were destined by their enemies to fall. It was Elizabeth and England against the world; and the Queen was now at her wit's ends to rally the anti-Roman element of her realm around her on the one hand, to preserve the essentially Catholic character of the Establishment on the other. How grandly she succeeded, how this one stedfast resolution was the secret cause of so many of her apparent vacillations and inconsistencies was, as we have said, better understood formerly than now. The multiplication of our sources of information of late years has as yet done little else but dazzle the eyesight of those who have attempted to make use of them[1].

Before we dismiss this subject it should be observed that

[1] See the Quarterly Review, April, 1870.

the complaints of all the Commissioners alike, unless indeed anything further is meant by the term 'crosses,' touch nothing but the portable articles which give offence. Not a word is said as to altars, reredos, statues, or the like. This is proof positive that the iconoclastic destruction of the Commissioners of 1549 was absolutely complete. By 'crosses' was probably meant some moveable substitutes for the ancient magnificence. By those Commissioners we may believe that 'the one altar or rather Lord's Table' had been set up in the middle of the Chapel—the position insisted upon by Ridley himself—instead of at the east end. We are not able to trace all the vicissitudes of position the Chapel of All Souls has seen on this point; but we shall notice in its place the effect of the Laudian revival in replacing the 'altar or Lord's Table' where it originally stood.

The two letters of Archbishop Parker possessed by the College, and not yet published, are of a more domestic character than the foregoing. The first, written in 1564, is signed 'Your loving friend and patron.' In this he warns the College to be more careful in its accounts and the general economy of the house, and that,—

'Furder, your exercise of learninge as well in disputacõns as otherwise be more diligentlie observed than they have been hitherto. And that men be not tolerated to defeat the Statute providing after a time for entering into ministracõn.'

In the other letter, written in Latin, undated, but probably of the year 1567, he rebukes the members of the College for their contentions about the domestic offices of the Fellows:—

'To my great annoyance who am already distracted by one kind of business and another in all directions. . . . Wherefore I beg you to put an end to your quarrels; for I know your dispositions and character far better by these quarrels than I know yourselves,—yes, indeed, far better than I know any College in Oxford which has come under my hands.'

'Valete: MATTHAEUS CANTUAR.'

The irritation betrayed in these letters illustrates not only the faults of the College, but the extreme severity of the labours undergone by the heads of Church and State at this juncture. No trouble was too great, however it might harass them, no point too small for notice. If the ship was to be successfully steered between the Scylla of Rome and the Charybdis of Geneva it should have its decks cleared, its crew at their posts, its officers properly trained, its code of discipline strictly observed, every precaution taken that it should survive the storms which none knew better than Elizabeth, Cecil, and Parker would beat from every quarter on the Anglo-Catholic Church. Perhaps in the last letter we may find some reason to suppose that the action Parker took in 1567 as to scandals of ritual was promoted by some 'information' he received in consequence of the quarrels which he denounces with such grief and pain. When men outside the College were bitterly contending on this very point it was not likely that such an apple of discord within the walls could long remain unhandled. The 'contentions' of the Fellows went deeper no doubt than the mere contest for 'domestic offices.' It must be remembered also that Parker's reforms at Oxford were continually thwarted by Leicester, who, as Chancellor of the University, could exercise a vast amount of obstructive power. At his own University, where he was supreme, the influence of the Archbishop was far more efficient.

It was under Parker's Primacy, however, that the great measure was taken which stamped the character of the Universities for succeeding ages. The Act of 13 Elizabeth, which incorporated those bodies, was the great settlement under which they have worked down to our own day. The orderly system of Matriculation, Degrees, and obedience to Statutes, then introduced and enforced, together with the cessation of religious disputes produced by the rigorous proceedings noted above, gave the most extraordinary impetus

to both Oxford and Cambridge, which were now quite ripe for such a reform. If made earlier it would have been premature.

Elizabeth went to work in the most enlightened spirit to encourage activity among those whom she had thus set free from the accumulated difficulties of ages. Perhaps a quaint passage quoted by Wood from Sir William Boswell will convey a better idea of her system than any modern account of it.

'Queen Elizabeth,' says this authority, 'gave a strict charge and command to both the Chancellors of both the Universities to bring her a just, true, and impartial list of all the eminent and hopeful students that were Graduates in each University, to set down punctually their names, their Colleges, their standings, their Faculties in which they did eminere or were likely so to do. Therein Her Majesty was exactly obeyed; the Chancellor must not do otherwise; and the use she made of it was that if she had an ambassador to send abroad, then she of herself would nominate such a man of such an House to be his chaplain, and another of another House to be his secretary, &c. When she had any places to dispose fit for persons of an academical education, she would herself consign such persons as she judged to be *pares negotiis*. This could not be long concealed from the young students, and then it is easy to be imagined, or rather it is not to be imagined, how the consideration that their Sovereign's eye was upon them, and so propitious upon the deserving of them, how this, I say, would switch and spur on their industries[1].'

A letter of Lord Leicester's to All Souls in 1581, when he was Chancellor of Oxford, confirms this aspect of the Elizabethan policy, if indeed it were not too well known to require confirmation. It is addressed—'To my loving friends the Warden and Officers of All Souls in Oxford,' and proceeds thus:—

'After my right harty commendations, whereas Mr. Madox, Felow of your Colledge, is presently to be employed in publique

[1] Wood's Annals, sub anno 1602.

affayrs into farre parts without this Realme, from whence he is likelye to return in 2 or 3 years or more, I therefore do hartily pray and also require you that he may have a cause of 3 years absens from the Colledge allowed him, and that his absens for the said tyme be no hynderaunce to his commodytye in the Colledge, but that he may enjoy all benefytes thereof as yf he were present; and so I bid you hartily farewell.

'Your very loving friend, ROB. LEICESTER.'[1]

The College does not resist this recommendation from their 'very loving friend,' but it shews its good sense and independence in very carefully limiting its grant. The Warden and Fellows give Madox the 'required' 'cause of absens,' reserving to him all such rights, emoluments, &c. which if present he might have received from the College, '*except Commons and annual Liveries, which they altogether refuse to grant*[2].' Now these exceptions included almost the only assistance a Fellow got from his College at this period, so that in reality the Warden and Fellows did little but provide that he should be in the same position when he returned as he was in when he left. It was one thing to work with the Queen and her Chancellor to encourage men of talent; it was another to take the remuneration for public services off the hands of the Crown, and to announce that non-residence abroad fulfilled the conditions attached by the Founder to his bounty.

[1] MS. Book *penes custodem.* [2] Ibid.

CHAPTER VII.

The Golden Age at All Souls.

1571–1603.

Warden Hoveden — Queen Elizabeth and Cecil — Great men of the College — Sir Anthony Sherley — The Lawyers — Archbishop Grindal — Archbishop Whitgift, the great organiser of All Souls — College luxury — College Surplus — Its history — Grammar Schools — Education of poor Scholars at All Souls.

All Souls was nearly as fortunate in the Warden who presided for forty-two years during the period when it was experiencing the Elizabethan impulse as it was in the able man who presided for a similar period during the trying times of the Reformation. Robert Hoveden was elected at the early age of twenty-seven; but he had enjoyed the inestimable advantage of having been chaplain to Archbishop Parker. From his handsome monument in the College chapel we find that he was elected '*summo cum consensu*,' as also that he was descended from the 'ancient family of the Hovedens in Kent.' So young a Warden could hardly be expected to reverse the decision of the College in the matter of ritual which we have related in the last Chapter, nor perhaps was he much disposed to do so; but we have seen that he was speedily relieved from that responsibility. His task was to conciliate, to reorganise, to develop the resources of the College. When he died it was thought proper to inscribe on the said monument the words, '*cum huic Musarum domicilio magna cum sagacitate et prudentia per 42 annos præfuisset.*'

We are left to conjecture as to many of the ways in which this great sagacity and prudence were exhibited; for the most useful lives are not always the most eventful. But we know that he had much to do with putting the College estates into order. It is he also who appears to have been the first to organise the College official books, prefixing, like Warner a short account of the Founder. He refits the library, still though now converted into private apartments, beautifully adorned with Elizabethan devices. Probably the good condition of the College archives in old times was due to him Half a century after his death, Wood, at the commencemen of his antiquarian researches, 'began to peruse the evidence of All Souls College which were brought from the tower ove the gate into the lodgings of Dr. Th. James, Warden o the said College,' and he found 'they were put in as goo method as Exeter College evidences were, and therefore i saved him much trouble[1].' The records of the periodica inspection of the College plate date from his Wardenshi and probably the large increase it began to shew was du to his care. He completes the Warden's lodgings whic Warner had built. To him the College owes an ancien joke. To the grounds previously belonging to it he adde the Warden's garden, pulling down the house which occupie the site, and which was known as 'The Rose,' where the was also a famous well. He now announced that the Fellow should henceforth wash in Rose-water. In his days we firs hear of the surplus income which the proper managemer of the College property produced, and which so exercised th minds of successive Visitors. While in these, and other mino ways too tedious to mention, he benefited his Society, the is one transaction of his which has come down to us in som detail, and throws light upon the history of the times.

Queen Elizabeth had held possession for more than third

[1] Wood's Life, sub anno 1666.

years of the mansion-house and tithes of Stanton Harcourt. This property had belonged to the Abbey of Reading, and on the suppression of the Abbey, fell to the Crown. Edward the Sixth gave it to Poynet, the Protestant Bishop of Winchester, in exchange for some lands which belonged to that See. When Mary came to the throne she restored Stephen Gardiner to his See; and by agreement with the Crown he resumed the exchanged lands, while the Crown in its turn resumed Stanton Harcourt. The properties returned in short to their original ownership under Edward the Sixth. Now comes a further change. A little later in Mary's reign Cardinal Pole had permission given him to make grants of all such properties for ecclesiastical purposes, and he grants Stanton Harcourt to All Souls. On Elizabeth's accession all such grants were by Parliament restored to the Crown except such as were in possession of schools and colleges. All Souls therefore had a right to retain Stanton Harcourt. But the Bishop of Winchester chose to deny this right, and Cecil, in order to settle the dispute, 'procured' that the property should be made over to Elizabeth.

What the imperious Queen once got in this way she had a strong mind to keep. Many an effort had been made to extract the morsel from the jaws of the lioness, and the College meanwhile 'went poor and bare.' She held that 'she had a perfect interest to the parsonage;' she had made a lease of it for forty years. But time had tamed her. Leicester, her evil genius, was dead. Whitgift had long exercised his great influence in favour of the Church. Burleigh was drawing to the end of his laborious career. Warden Hoveden watches his time. 'Your poore subjects, the W^n and Fellows of yo^r College of All Souls,' make a very humble petition for their rights. At the foot of the copy, still preserved in the archives, are these words: 'My Lord Threasurer's opinion written with his owne hande on

the backside of the College supplication to Her Matie.' Then follows the 'opinion:'—

'I doe knowe that the right of the parsonage within named was in the B. of Wincester and not in Queen Marie nor in the Cardinall, and to the intent the Colledge might enjoy this parsonage according to the Cardinall's graunt I procured the B. of Wincester to make a graunt hereof to Her Majtie and of divers others whereunto he had in law a title, but not in conscience, because he had a recompense for the same.'

In the very year of the great Minister's death, 1598, the Queen at last yielded. Possibly if we knew more of these complicated transactions we should find that not only was there more excuse for the Queen than is sometimes supposed, but that there was more justice done to the Church in the end than is generally believed. At any rate we have here a remarkable instance of Elizabeth's often repeated grace in yielding at last when she found out she was wrong, of Lord Burleigh's foresight and honesty, of Hoveden's 'sagacity and prudence.' The Bishop of Winchester is the person who comes out of the affair least satisfactorily.

It was under these auspices that All Souls produced several men who added in their measure to the glories of the Elizabethan age. Lord Chancellor Weston was already distinguished before he was advanced by Elizabeth. Sir Daniel Dunn, Sir William Bird, and Sir Clement Edmonds all entered the College in her reign, and attained the high posts of Dean of Arches or Master of Requests, or both. All three were in turn Burgesses for the University. But if they and such men as William Aubrey represent exclusively the legal element for which the Founder made careful provision, while John Williams adorns the Margaret Professor's Chair at Oxford, the College boasts of one Elizabethan name which combines all the attributes of chivalrous romance that we associate with the period.

Sir Anthony Sherley was elected from Hart Hall in

1580. He held when he died the titles of 'Count of the Holy Roman Empire and Admiral of the Levant Seas,' and he was a Mirza of Persia. To his name are appended in the College records the words,—'that noble ambassador sent by the great King of the Persians, Sha-Abbas, to the Emperor and Christian Kings.' His history is very curious, and though once well known, is so far forgotten that even when the English knowledge of Persian affairs was displayed in our newspapers to the uttermost on the late visit of the Shah to England, no one seems to have remembered who was the first English Resident at a Persian Court, the first to open the resources of that country to the English, the man to whom and to whose brother the greatest of all the Persian monarchs owed his chief successes, the provinces of Christendom a partial deliverance from the Turk, and the English a successful step in the career of their Indian grandeur[1]. It may therefore be justifiable to suspend the thread of our narrative for a moment while we give a brief account of the last of the knights-errant. Of all the Elizabethan worthies he seems to have been the one to

> 'Chase brave employments with a naked sword
> Throughout the world'

[1] A short abstract of the adventures of 'The Three Brothers' was published by Hurst and Robinson in 1825; and Mr. Evelyn Shirley, the representative of the family at Easington, wrote for the Roxburgh Club, in 1848, a carefully compiled account of 'The Shirley Brothers;' but in neither case is there—if one may say so—any sufficient notice taken of the character and opinions of Sir Anthony as evinced by the 'True History of Sir Anthony Sherley's Travels into Persia penned by him selfe,'—London, 1613. The original MS. of this 'True History' is in the Bodleian (Ashmole Coll. 829), and has been consulted for the extracts here given. Of his visit to Persia there is of course a notice in Sir John Malcolm's History of Persia. Wood, Fuller, and other authors make mention of the brothers; but their notices are extremely meagre, and often inaccurate.

on the most extensive scale; and George Herbert may well have had the three brothers in his eye when he penned those famous lines. Their names were then in the mouths of all.

Sir Anthony Sherley was the first of the celebrated trio to earn distinction. Sir Robert was taken out as a youth by Anthony to Persia; and Sir Thomas, the eldest brother, —the father was also Sir Thomas, of Wiston in Sussex,— was driven by the fame of Anthony and Robert to emulate their deeds in a somewhat rash, not to say piratical, manner.

Anthony must have learnt much at All Souls among so many able men as the College at that time possessed. He was elected in his seventeenth year, being already a Bachelor of Arts; and remained there—though it seems he did not take his degree of Master—till he made his first campaign. So much may be gathered from the fact that Archbishop Whitgift would not allow a candidate, in November 1587, to fill his place as Fellow, leave of absence having been given Sherley during the previous year, '*de tempore in tempus*,' and no vacancy having been officially reported. This shows the liberal spirit in which both Visitor and College dealt with such questions. It was a national cause; the young Fellow should not be hampered; he should make his first campaign, and see how he liked it. The bird, however, never came back to his cage. Of this period he himself says,—'My friends bestowed on me those learnings which were fit for a gentleman's ornament without directing them to an occupation, and when they were fit for agible things they bestowed them and me on my prince's service.'

Queen Elizabeth was now about to wage her momentous conflict with the Roman Catholic world in arms; and the chivalry of England were pressing round Leicester's standard in Flanders. Sherley is among them; he fights by the side of Sir Philip Sidney at Zutphen in 1586. He is afterwards found

serving as Colonel in that gallant band of four thousand Englishmen whom Elizabeth sent to the assistance of the hard-pressed Henry of Navarre. How Sherley performed his part may be gathered from the fact that Henry insisted on investing him with the Order of St. Michael and would take no denial, while Essex became from the time of those campaigns his unfailing patron and bosom friend. To receive knighthood from a foreign prince without permission was however a grave fault, especially if, as Camden tells us, the young knight, on his return to England, 'shewed himself openly accoutred with the insignia of his Order in the City and at Court.' Elizabeth imprisoned him for the offence. He replied, as so many other gallant men did who fell under her displeasure, by desperate and romantic expeditions against the common enemy in the West Indies and North America. Essex supplied him with money, for he had none of his own. They were kindred spirits, the children of the strife. It was a holy war, and they were both men of strong religious feelings. The Jesuits had invaded England; the Spanish and French troops Ireland. The Pope, to these gallant men, was the incarnation of all that was false and retrograde, the Spaniard of all that was bigoted, bloody, selfish, unscrupulous. The war must be carried into that Western hemisphere in whose future the master spirits of the age plainly foresaw the mighty issues of the struggle, and Sherley took his place among the foremost of these sea-soldiers. We may still linger with delight over the quaint pages of Hakluyt where the exploits of 'the general' are recorded.

It was in these expeditions that he learnt some of the most valuable of the lessons which led to his success in Persia. He learnt to know men, to face any odds, to bear up under failure, desertion, and distress. He had no resources, like Raleigh, for founding Colonies, nor perhaps the genius. He made a successful descent upon Jamaica,

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but thought it not calculated for a settlement, and—gave it up! Indeed he more generally failed than succeeded all through life; but his mind soared higher than to care for mere success. He thus expresses his idea of a man's duty: 'Men are brought forth uppon the earth for good endes, the principallest of which is the glory of God, and then to better the world.' Where shall we find a nobler sentiment more concisely expressed! In recounting his Persian adventures, not for publication, but for the guidance of his younger brother, he attributes his marvellous escapes to God's goodness in honouring good intentions.

'Good intentions,' says he, 'have such a simpathie with God his owne disposition, that he will both assiste them who have them for their better incouragement and for other's example, being one of the chiefe means by which he instructeth the world.'

We next find him serving under Essex in his ill-fated Irish command, and receiving knighthood—this time unexceptionably—at his hands. From his firm friend he once more receives the means of equipping himself for foreign expeditions; not now to the West, but to Italy, to help the Duke of Ferrara against the Pope. Another disappointment! The Duke tamely submits before the English can arrive! Shall he return to England? No. Italy to a knight-errant was but on the road to Persia, and Sherley had already communicated to Essex how some Italian merchants had told him that a great blow might be struck at the Turks by bringing Persia into communication with Europe. Essex backed up the scheme with all the impetuosity of his nature. On the one hand he felt that his dubious position with Elizabeth would not bear the weight of a costly expedition returning bootless home; on the other his genius at once grasped the notion that here was the opportunity for extending the commerce of England to the East, where the Roman Catholic powers had been already long settled, and whence they were still earnestly striving to exclude all but

themselves. From that side the common foe of Christendom might at last be reached,—the foe which was crushing Persia on one side, Hungary on the other. It was twenty-seven years since Lepanto had been won. No blow had been struck since. On the contrary the Imperialists had just suffered a tremendous defeat, (1596). Cyprus was hopelessly lost; Venice in decay. There was no deliverance in the Empire or in Spain, still less in the Papacy. The Ottoman seemed about once more to overrun the world.

And so Sherley set forth from Italy, with his young brother and twenty-four men, to measure himself against the Ottoman Empire! Never did enterprise appear more Quixotic. Elizabeth had already perceived the importance of Persia, but not being a knight-errant, she had only thought of the commercial advantages her people might gain. She had sent Jenkinson, a merchant, with full credentials, to Shah Tamâsp; the bigoted Mahometan refused even to see him. But she had no idea of embroiling herself with Turkey, where there was already much English trade embarked, and at the capital of which a Resident of her own was established. She frowned on Sherley's adventure as she well knew how; nor was the patronage of Essex at this time any recommendation.

The mere valour of the knight-errant would scarcely, however, have carried Sherley over the extraordinary difficulties which beset his journey. He was a Crusader,—a Crusader, some centuries after the Crusades. His whole soul was stirred within him at the disgrace of Christendom. How he felt as he passed through thinly-inhabited countries, blighted by the Ottoman breath, must be read in his own words. A sentence must suffice here. At Cyprus he cries shame upon Christian princes who do not keep 'a compassionate eie turned uppon the miserable calamitye of a place so neere them, rent from the Church of God by the usurpation of God's and the world's great enemie.' And in Syria—

'What a shame it is to the verie name of Christianitie to suffer that greate Sepulchre of our Redemption to bee possessed to our eternall ignominy by his professed enemies who vouchsafed to give his dearest blood to buye us from perdition!'

He arrives at last. In the year 1600 he presents himself before Shah Abbas, who had just fought his way to the throne, a man stained with blood and delighting in cruelty, but of unquestionable ability for the task of raising Persia to the rank of a great power, and already alive to the difficulties which lay before him on the side of Turkey. With the quick convictions of genius the keen Asiatic at once saw that in Sherley he had found the man he wanted. Captivated by his chivalrous manners he at once admits him to the closest friendship, makes him his chief adviser, reforms his army after the European model under his guidance, and enters with an ardour, which he retained all through his life, into Sherley's schemes for a combination with the Christian powers against the Turk. He begs that the young Robert may be left at his Court, and with the following extraordinary letter sends Sir Anthony, in the course of a few months, as his ambassador to Europe.

'There is come unto me,' as the contemporary translation has it, 'in this good time a principall gentleman, Sir Anthony Shierlie, of his owne freewill out of Europe to these parts: and al you princes y^t beleeve in Jesus Christ know you that he hath made friendship between you and me; which desire we had also heretofore graunted, but there was none that came to make the way and to remove the vaile that was betwene us and you, but onely this gentleman; who as he came with his owne freewill so also upon his desire I have sent with him a chiefe man of mine. The entertainment which that principall man hath had with me is that daylie, whilst he hath bin in these partes, we have eaten togither of one dysh and drunke of one cup like two breethren[1].'

Before Sir Anthony's departure he persuaded the Shah to 'give libertie of Christian religion' in his dominions. Hence-

[1] Report of Sir A. Sherley.

forth Christianity was frankly and completely tolerated. He reports that 'he had opened the Indyes for our merchants in that sorte that only excepting the outward show of power they shall have more power than the Portingall.' This was true. One indirect result of the English influence thus established was the subsequent destruction of Ormuzd, the Portuguese emporium in the Persian Gulf, which had existed in splendour for a century.

Sherley's journey to the Emperor, the Pope, and the King of Spain on the business of his embassy was fruitless enough, —as fruitless as his journey was eventful and disastrous; but the effect of his expedition was most remarkable. In five years after he left the Shah, his brother had enabled the Persians to strike such a blow at the Turks that the Ottoman Empire reeled to its centre. Though the Christian princes declined to enter into any active alliance with Persia, they soon experienced the relief afforded by this diversion. Essex and Sherley were quite right. The Ottoman Empire, in spite of its recent success in Europe, was rotten at the core. If a combined movement could have been then effected, that Empire must have collapsed. As it was, the Treaty of Sitvatorok not only freed Transylvania, but 'marked an era in the diplomatic relations of Turkey with the rest of Christendom[1].' For the first time since he had burst upon Europe the haughty Ottoman treated with the Emperor upon terms of professed equality. The knight-errant had done something towards changing the face of both Europe and Asia!

Sherley's subsequent career is not so satisfactory. It must be dismissed in a few words. On ill terms with his own Court, which he had served so much better than it deserved, he threw himself on the Roman Catholic princes, professed their religion, received their titles and pensions, commanded a Spanish fleet in the Levant, headed an Imperial embassy to Morocco, and lived till 1630 (or

[1] Creasy's Ottoman Turks, vol. i. p. 384.

1636) a chequered life at the Spanish Court, sometimes honoured as the next in rank after the Viceroy of Naples, sometimes impoverished by his own imprudence. James the First called on him to return to England, but he declined. The fate of Raleigh was not encouraging. His brother succeeded to his place in Persia, and, like Sir Anthony, made bootless visits to European Courts. He was twice in England as Persian Ambassador, but as Sir Anthony had offended Elizabeth, so Sir Robert excited the jealousy of the East India Company, and suffered much from their intrigues. We may sum up the elder brother's Persian career in the words of the younger one:—'He made so rare an attempt as hath seldome bene seene in this or any former age by a private gentleman to have beene enterprized.' He certainly performed enough for one life. It was hardly to be expected that he could persuade the 'princes Christian' to lay aside their animosities before the battle of the Reformation had been fairly fought out in the Thirty Years' War.

As All Souls did not even in those times breed knights-errant every day, we must return to the humbler topics suggested by the missives of its Visitors, Archbishops Grindal and Whitgift.

From the second of these the College has a larger number of Injunctions, Ordinances, and letters than from any other Visitor except Archbishop Wake; from the first—as might be expected, if we recollect the circumstances of his unfortunate career as Primate—scarcely anything. But the single document of public interest from Grindal which the College possesses connects him with the movement of the age, and with Whitgift's more various efforts to deal with the difficulties which that movement brought into prominence. The changes and progress of the legal profession began to test severely the sufficiency of the Founder's Statutes. The Reformation had given a vast impulse to the Common Law, and had all but localised the whole profession in the metropolis. How were the All Souls Jurists either to learn or

practise? As the sphere of the Civil and Canon Law had become so much more confined, could the Founder have intended that there should be no elasticity in the future of his College? Was it merely to subside into an institution from whence an occasional teacher or professor might emerge? Were they likely to emerge if the College were to be cut off from direct contact with the London Courts? These were the questions the College was asking. The distinguished members of the legal profession it had supplied no doubt excited the emulation of their less successful brethren at All Souls; but the most important of these men were officially connected with the Archbishops, and guided their counsels. For the present the ambition of the College Jurists was checked; but it was not for long.

Some of the Fellows had given their theories as to the Founder's intentions a practical turn. They had begun to exercise the vocation of Common Lawyers in London while keeping their Fellowships. Hoveden had been unable to prevent the College from permitting this innovation, which certainly required authoritative sanction. That sanction Grindal, as Visitor, sternly refused to grant. He takes the most decisive measures. As one of the Lords High Commissioners associated with Parker in suppressing the All Souls 'monuments of superstition,' he had had some experience of the sort of men with whom he had to deal. This will account for our finding no Visitations or Injunctions concerning the matter in dispute. He uses his power as Visitor in a manner which the College would certainly have challenged at a later date. He writes, in 1582, to insist, with the utmost decision, that the Fellowship of a man who has left the College and resorted to London in order to study Common Law is *ipso facto* vacant; and he there and then appoints another in his place. However arbitrary, this letter seems to have settled the question for many a year. After the Restoration that and a good many other questions were reopened.

Whitgift is fortunate in finding this Common Law question

settled, and is able to gratify the College by relaxing the severity of the Statutes in the matter of Civil Law students. He remedies a grievance, already of long standing,—the obligation of these students to take Holy Orders. At the same time he attempts a compromise. He will not sanction continuous non-residence. The Civil Lawyers are to practise in none other than the Oxford Courts; and if they spend as much as two years continuously in London in the pursuit of their profession, they forfeit their Fellowship. The same penalty will be incurred if they practise out of Oxford for less than two years, but at different times, or hold for one year a Chancellorship, or be an Official or Commissary of a Bishop—'as though they had withdrawn from the College itself with the view of abandoning their study.'

This attempt to establish a School of Law sufficiently good to breed up Civil Lawyers without resorting to London is interesting in reference to the later history of the University; but the speedy repeal of the provision against London practice by Whitgift's successor, Archbishop Bancroft, is still more so. All useful study and practice was found to be destroyed. Only seven years had elapsed when Bancroft finds 'by conference with some of the principal Doctors of Arches, being likewise sworn to your Statutes, that the said restraint is more prejudicial to the students in the profession of your House than I suppose was ever intended by my predecessor.' He therefore 'suspends the Injunction.' It is needless to say that the times were marching too fast for any change back again. The Civil Lawyers had triumphed, and in their success was bound up the future of All Souls. As Civil and Canon Law receded, the Jurists of the College more and more began to practise in the Courts of Common Law, and more and more loudly to demand the same liberty of non-residence as their brethren.

The voluminous Injunctions and letters of the keen, clear-sighted Whitgift almost form a new set of Statutes. The

briefest summary must suffice for our purpose. Throughout we trace the mind of a 'great man,' such as Izaak Walton represents and Strype loves to call him, resolved not only to remedy abuses, but to recreate and reform the institution in accordance with the momentous changes which had taken place during the last century and a half.

Thus Whitgift found no substitute provided for the ancient prayers for the departed, which had kept in mind the memory of Founders and Benefactors, but had been swept away by the Act for the Suppression of Chantries and the Act of Uniformity. The beautiful prayers in commemoration of the men who had benefited All Souls, which are used in the Chapel to this day, and which have been so used continuously —except during the Interregnum—for three centuries, are his contribution to the Services of the College. The sermon and administration of Holy Communion four times a year, which are still the law of the College, were established by his Ordinance. He brings the question of 'corrupt resignations' to a point by enjoining the terms of a special oath which every Fellow is to take, and making deprivation the penalty of offence in the matter. Even Whitgift, however, failed to stop up the gaps by which evasion was still possible. He made a great step in advance of Cranmer and Parker; Abbot and Sancroft had only to build on his foundations.

One concession Whitgift was able to make to the wishes of the College, besides that already mentioned as to Holy Orders. Slight in itself, it is suggestive. It had long become very disagreeable to receive the Founder's livery in cloth; but the Visitors would hear of no commutation. They had feared to encourage the separate personal possession of money by the Fellows. Food, clothes, rooms, and a common life represented the idea of the Founder and the early habits of the College. Whitgift does not fear to make the change. He decided that the livery might be given in money; but the *name* has always been retained as of old.

The greater part of his Injunctions are, however, directed in the most vigorous style against the growing luxury and questionable tastes exhibited by the College. His Visitation by Sir Daniel Dunn in 1601 discovered many abuses. He denounces the splendid and costly banquets held by the Fellows in their chambers, instead of the appointed public dinners and suppers in hall, the costly furniture of the rooms, the superabundance of servants, the 'disreputable games' (*ludos inhonestos*) played within the precincts of the College, the practice of keeping hounds or falcons, and of keeping the College horses in London longer than necessary, the drinking of double beer (*potum quem duplicem dicunt*) by the Fellows or servants at the expense of the College, and the sufferance of any factious or quarrelsome person among the Fellows, any whisperer, fomentor of discords, or striker. The care of the College muniments and books, pursuit of studies, proceeding to degrees, attendance in Chapel, leave of absence, and all similar matters touching the well-being of the institution are touched with a wise hand.

These Injunctions are, however, only supplementary. He had previously taken an important step. In order to secure obedience, and provide a lasting remedy for the evils of which he had become cognisant, he perceived that he must have some one on the spot armed with authority which could not be disputed. The hands of the Warden must be strengthened. The Governor of the little community was losing something of his ancient status. He had received from his predecessors the right of Veto upon the election of College officers. This was the key of his position, and it was now vehemently attacked by some of the College lawyers. Whitgift resolved to confirm this right in the most positive and deliberate manner at any risk. He had in Hoveden a man whom he could trust, and he began his reforms in strict concert with him. Here is an extract from his letter to the College in 1597:—

'I would have you to understand that in the interpretation of your Statutes I doe not mean to be carried with the opinion of my lawyers, but by the meaning of the Founder and the long-continued use and custome of your Colledge, being the best interpretation of your Founder's meaning. And therefore if any man think to carrie me away otherwise he doth but deceyve himself.'

His resolution to use his own judgment, and not that of any lawyers whatever, not even his own, is characteristic enough. His decision of the question settled it for more than a century. This bulwark of the Warden's position was not overthrown till the Visitation of Archbishop Wake in 1719. The above letter ends, like so many other Lambeth epistles to All Souls, with some stringent sentences on the 'apparell of Schollers:'—

'My meaning is that they goe schollerlike, and not lyke courtiers or laymen, as though they were ashamed of their degree, place and calling.'

These efforts of the good Archbishop to cope with the increasing luxury and license of the College betray the increasing wealth and prosperity which was affecting the condition of all institutions and classes of society in the reign of Elizabeth. The extraordinary success of her policy at home and abroad was producing in the latter portion of her prolonged government its natural consequence. Every class was making a move upwards. The full effect of what had been done by her predecessors had now the opportunity of developing itself.

The particular measure which affected the material interest of Colleges, and notably of All Souls, was the Act of the 18th year of her reign, the chief passage from which is here extracted. It provided that

'in all future leases made by Colleges, Cathedrals, &c. one third part at least of the old rent must be reserved and paid in corn for the said Colleges, &c. or in ready money

. . . to be expended to the use of the Relief of the commons and diet of the said Colleges, &c., and by no fraud or colour let or sold away from the profit of the said Colleges, &c. on pain of the deprivation of the Governor or chief rulers of the said Colleges,' &c.

Here then was a provision for a surplus income made by the law of the land. The question was settled. The simplicity of the ancient College life could no longer be retained intact, even in theory. It had doubtless been largely modified before this important Act was passed; but when the surplus income in a single year 'above the sett and ordinary allowance for the diet and commons of the M^rs, Fellows and servants[1]' reached as high as £1000,—perhaps about £6000 or £7000 of our currency,—we may be sure that a great change had taken place. It is true that we do not find this statement as to the Surplus till a little later; but it may serve as an index of what was taking place in the reign of Queen Elizabeth. The members of the College were not indeed as yet allowed to divide any part of the Surplus; but perhaps we may assume, without breach of charity, that there were some recognised methods of waylaying portions of this College wealth before it found its way into the tower-chest; and certainly no slight portion was required in the lawsuits and disputes of various kinds which troubled the College in reference to its property, of which we will take the following by way of example.

Sir Walter Raleigh, in 1581, 'by the information and lewd setting on of W^m Langherne, late Fellow of All Souls, then servant to Sir Walter Raleigh, procured letters from the Queen to the College to demise to her the Manor of Scotney and farm of Newlands in Romney Marsh' at a low rate and the College, in the absence of the Warden, gave way; but in 1587 'Sir Walter procured letters from the Queen for all the

[1] Case concerning Surplusage Money, Tanner MSS. vol. 340.

College woods to be leased to Lady J. Stafford, relict of Sir R. Stafford,' 'for £20 rent and £100 fine.' The College refused, and gave some excellent reasons; but Lady Stafford told the Queen 'it was more out of obstinacy than to defend their rights, their state being so plentiful by Her Majesty's Statute' [18 Elizabeth] 'as that they rather seemed rich monks in a rich Abbey than students in a poor College.' At her request the Queen granted a Commission of enquiry. The College stoutly stood to its refusal, and applied for help to Whitgift as Visitor, who interceded with Burleigh. The Treasurer took it 'in good part and desired them to talk with Sir Walter Raleigh. They did so; and he promised to be indifferent in the matter.' Lady Stafford was now left to fight her battle with the College, which repelled her unkind remarks by declaring that 'the Fellows' allowance at noon was but 1^{d}, and at night 2^{d}, a small pittance to make them fat.' The Lord Treasurer having summoned her and the Warden before him, now told her 'he disliked her suit, and would represent it as unreasonable to Her Majesty.' She would not however give up her point, though she lowered her demands, and even begged at last that she might 'have some consideration for her charges.' Even this the College ungallantly refused;—and 'so the matter rested[1].'

As we shall not return to a subject of a somewhat technical nature, but really of great and wide importance, we may as well forestall the history of this Surplus during the process of its gradual settlement into a regular fund for supplying the annual emoluments of the Warden and Fellows. It may throw light upon some difficult questions of modern days.

Whitgift's successor, Archbishop Bancroft, was the first to grant permission that the Surplus might be 'converted to amendment of diet and other necessary uses of common charge,' a precedent which the College was naturally most

[1] Book of College Estates, F. P. *penes custodem*, p. 164.

unwilling to deprive of its full significance. The terms were certainly large enough to permit even laymen to drive the proverbial 'coach and six' through them, much more lawyers; and so when Bancroft's successor, Archbishop Abbot, ventures, in the innocency of his simple and somewhat severe disposition, to recur to the ancient idea, he discovers that he has stirred up a nest of hornets. Several letters pass between the Visitor and the College on the subject, the Archbishop so far maintaining his point that it is very many years yet before the distribution of the Surplus amongst the Fellows is an acknowledged right. Abbot utterly refuses to recognise anything of the nature of right in the transaction. The 'Augmentation of Commons' having been made as far as was reasonable,—this, after 18 Eliz., could not be gainsaid,—the rest of the Surplus was to be paid without diminution into the College treasury. Out of it large alms were to be given to charitable objects, and advowsons should be bought with it;—'for I much desire to see some of the Founder's bounty converted to so good a public use in my time and by my direction[1].' But in 1629 he relents,—perhaps we may trace here the broken spirit of the almost nominal Visitor who had long lost all influence,—and 'for this time' allows a 'double livery,' with the following recommendation as to the future:—

'I should be glad to hear that when such money cometh extraordinarily unto you it be employed in buying of books and furnishing of your studies, and not spent upon vanities which carry nothing with them but distemper and disorder[2].'

Abbot's successor, Archbishop Laud, declines to make any rule, but requires a certain sum to be placed in the treasury,

[1] Tanner MSS. vol. 340. [2] Ibid.

and the rest to be divided[1]. This was no doubt a right decision under the circumstances, and the good-will of the College so conspicuously shewn to Laud and his party—if we can imagine it to be influenced by such a concession—was fairly earned; but we may admire, nevertheless, the honest resistance of former Visitors who hesitated to countenance the changes which were so visibly progressing in the direction of luxurious ease.

The Visitors still kept the power over the disposal of the Surplus in their own hands, as will be seen by the following letter of Archbishop Sheldon's, with which our sketch of the subject may be concluded. He may well be taken as a fair interpreter and judge of what was right under circumstances not contemplated by the Founder. He had been himself Warden for many years, and had bought no little experience of all sorts and kinds when he wrote as Visitor in 1666. He had insisted on various improvements in the manner of keeping the College accounts, and had received in reply some very humble, not to say obsequious, letters[2] from the Warden who had just been appointed. He then writes as follows:—

'Mr. Warden;—By the last post I did, by my Secretary, signify unto you (amongst other things) that I gave you leave to divide the remaining moneys upon your account for the last year amongst you, which I now also do under my own hand. And this I assure you, that while the College continues in that good order amongst themselves and temper towards me which they ought, I shall ever be ready to take care of them and indulge them always with what remains to be divided, so as still there be laid up in the Treasury a convenient stock of money for the necessary uses and accidents of the College[3].'

If one of Sheldon's numerous enemies had caught sight of this letter he might perhaps have maliciously interpreted the last sentence to imply that the harassed Primate

[1] Letters in Archives. [2] Sheldon Papers, Bodleian Library.
[3] Tanner MSS. vol. 340.

was already beginning to contemplate the possibility of his incorrigible master being sent abroad once more on his travels; for no one knew better than Sheldon what service had already been done by the 'convenient stock of money' in College treasuries. But there is no need for any such suspicion. The 'treasury' in the tower was the 'bank' of those days, and it was no longer filled with the splendid plate which had stood formerly instead of a money deposit. All that species of treasure had been melted down in the struggle which was then but just over. We shall find as we proceed that some very legitimate uses were found for the new deposit[1]. The present system of annual money payments out of the College revenues to the Warden and Fellows was now irrevocably sanctioned after a contest of nearly a century.

The increasing wealth of the College, shared, as it was, by its sister institutions, had a most important political effect. They had become a power in the State, and severe sufferings were consequently impending. All Souls is probably but a type of the rest. Up to this time the Fellowships had afforded but little temptation to Kings and Statesmen. Simplicity and poverty had been an excellent protection. Even the great Elizabeth had only twice 'recommended' to Fellowships, and on one of those occasions had been successfully resisted, while in the other she succeeded only after a very indirect fashion. The Stuart Sovereigns, as we shall see, put the College to a far severer test.

One more characteristic of the Elizabethan period must be noticed at All Souls. As the energies of the Fellows came to be more and more drawn off by the progress of the Reformation from ecclesiastical offices and religious controversies,—the Services in Chapel having probably shrunk to the dimensions of a very genuine 'Protestant simplicity,'—we find the College marching steadily along with

[1] See especially Chapter XV.

the national development of middle-class education in the country and the small towns. Several grammar schools come under their hands, such as those of Faversham and Berkhampstead, the College supplying supervision, examination, and in some cases masters. Other schools came under the College at a later date.

All Souls, like New College, never educated 'Commoners.' These were the only two exceptions to the practice of all other Colleges and Halls, and for the same reason. Their buildings were only intended to accommodate their large establishment of Fellows, and could take in no more; but during the reign of Queen Elizabeth must have been introduced, somehow or other, the practice of admitting 'poor scholars' ('*Servientes*') to an education within the walls of the College; for early in the next reign (1612) we find, from a paper giving the number of Fellows, Students, servants, and others in different Colleges and Halls, that All Souls had thirty-one of these *Servientes*, independently of the *Famuli*, or domestics, who numbered nineteen[1]. As no clerks or choristers are on the roll, we must suppose that they had come to be included in the band of *Servientes*. That these were not introduced before Elizabeth's reign, or even very early in the course of it, may be inferred from Warden Warner's short account of the College. He mentions no one besides the forty Fellows, two Chaplains, three clerks, and four or five 'quiristers.' The new position of these *Servientes* or 'poor scholars' as a portion of the establishment was no doubt, like the grammar schools, a part of the movement of the age, a means of supplying the educational vacancy caused by the changes of the Reformation. The Ordinances of Edward the Sixth's Commissioners shew that the Colleges had then already begun to educate the boys who had been previously provided for in the monasteries. That provision having been stopped,—

[1] Gutch's Collectanea, vol. i. p. 196.

doubtless for very good reasons,—these young men or lads had been taken into Colleges. It must have been difficult to find room for them. We hear no more of them at All Souls after the 'Great Rebellion.'

Perhaps the following may throw some light on this subject:—

'The piece of building containing 4 chambers, two above and two beneath, where ye Chaplains are now lodg'd, abutting on the cloister S. and on Cat Street W. was, as it is said, purposed to build a steeple upon it at the beginning, but it was a storehouse till 1570, when the Abp. Mat. Parker, meaning to convert the Choristers' [places] into Scholarships to be elected out of Cantr School, caused Dr. Barber, the then Warden, and the Company to build that lodging that room might be in ye Quadrangle for the Scholars. So it was begun 1571; but being left off by reason of ye Plague was ended 1572; and touching ye Scholarships nothing done at ye writing hereof,—1574, Jan. 23.' Then follows a later entry—'Nor is like hereafter, the Abp. being long dead, who departed 18 May, 1575.'

'R. Hovenden[1].'

Thus it seems that Parker meant the College to have Scholars as well as Fellows, and to connect it in this manner with his own Cathedral city; and, perhaps in concert with him, Sir William Petre left the College three small Exhibitions, as well as a piece of ground adjoining the College. Though this plan never came into operation, the '*Servientes*' may have been a sort of substitute; but no foundation existing for them, nor any proper accommodation being provided, and the lodgings mentioned by Hoveden being assigned to the Chaplains, the mass of the *Servientes* disappeared as noiselessly as they came. The four Bible Clerks of All Souls are the sole representatives of the larger body. The Chaplains' rooms stood on the site of the present cloisters.

[1] Book of Coll. Estates, F. P. *penes custodem*, p. 58.

CHAPTER VIII.

All Souls under James the First and Archbishop Abbot.

1603–1633.

The intimate connection between the College and the Stuart Dynasty — The genesis of the Laudian polity — Bancroft's Reforms; College Beer — Abbot's Letters; the Mallard-feast — The 'roasted Warden' — Abbot on 'Corrupt Resignations' — The College and Cecil Earl of Salisbury — James the First tries to impose a Warden on All Souls — His Letter — Abbot resists — His merits — King, Bishop of London.

THERE is no violent break, no breach of continuity in the history of a nation or institution, such as our usual way of dividing historical periods too much suggests, at the end of one reign and the beginning of another; but with this caution against abuse, the system must be confessed to have many conveniences. All the influences of the previous ages, all the under-currents set in motion by the Tudor Sovereigns, are rolling on in their appointed course; but the seventeenth century must for ever stand out in English history as indelibly marked with the special characteristics which it received from the four Kings of the Stuart dynasty who reigned from 1603 to 1688. The reader must bear with so indisputable a statement, as it is necessary to introduce the remark, that however the foregoing pages may be thought to justify the fuller title of this book, there cannot be much doubt as to what is to follow.

It is indeed difficult to say when Church policy, religious partisanship, or whatever else we please to call the agreements and differences between men on religious questions, has not been a leading element, mostly the leading element, in English history; but, in the period on which we now enter, there is no question whatever on this point. The Tudor princes were strong and able enough to carry the nation over the most serious religious changes undergone by any people without a civil war. What was staved off in their time could not but break out under their feebler successors. The ecclesiastical position taken up by these successors brought them into a closer contact with All Souls, through the Archbishops of Canterbury as Visitors of the College, than at any other time before or after. But the mutual illustrations afforded by the great history of England and the little history of the College go deeper than this.

Side by side with the wealth, luxury, and effeminate habits, the intemperance and coarse manners of the age, of which the courtiers of the period are the familiar products and specimens, were to be found the splendid learning, the profound piety, and the varied gifts of those luminaries of the Church of whom we speak under the general name of the Caroline divines, the quiet radiance of the Herberts and Donnes and Taylors and Izaak Waltons, the stern public spirit of the Falklands, the Hampdens, the Clarendons, the Sheldons, and Fells of the century. If the 'Great Rebellion' broke somewhat rudely in upon the too luxuriant progress of English civilisation, we know how, by checking its unhealthy development, it strengthened, like a seasonable frost, the growth of much that was truly valuable, and opened new channels for the irrepressible genius of the age. In strictest correspondence with this peculiar mixture of good and evil, this exuberant progress, and then the check, and then the vigorous outgrowth of the new shoots, will be found the history of most English institutions at this

period, and certainly not least that of the College whose history we are attempting to trace. Thus the Letters and Injunctions of the successive Visitors betray too plainly that corruptions of various kinds had taken a tenacious hold on the society of All Souls. On the other hand, the pre-eminent character of some of the Wardens and Fellows raises them to the highest place among the actors on the tragical stage of the nation's life. The fierce doctrinal struggle within the Church which heralded the temporary victory of its enemies found some of its chief champions within the College walls. No institution suffered more for a time in consequence of the Civil War, as none had done more in proportion to its means to support the side of Church and King. None reflected the national characteristics of the period of the Restoration and Revolution with more fidelity.

The very names which render the College glorious during this century tell their own story. Beginning with Brian Duppa and Sheldon, its Register takes up Steward and Jeremy Taylor, Sir Christopher Wren and Sydenham the physician, Christopher Codrington and Bishop Tanner. Its Visitors, most of whom leave their mark, are Bancroft, Abbot, Laud, Juxon, Sheldon, Sancroft, and Tillotson. Four members of the College, Duppa, Sheldon, Steward, and Jeremy Taylor, were chaplains to Charles the First, and played no unimportant part in the struggle which cost him his life; the first was also tutor to his children. The name of Arthur Duck, the author of Chichele's Life, is now only known to scholars, but in Wood's time[1] 'some of his works of the Civil Law were extant beyond the seas.' He was of this period; and Warden Moket's melancholy history will be familiar to those who are acquainted with Heylin's Life of Laud.

We have sketched Warden Hoveden's career in the last Chapter. He carried on the Elizabethan traditions

[1] Original MS. in Bodl. Lib.

well into the reign of her successor, — dying in 1614. As far as we can ascertain, he represented the decided but moderate churchmanship of the age through which he had passed in early and middle life, the position taken up on the whole, though with individual variations, by Cranmer, Ridley, Parker, Jewel, Hooker, and Whitgift, and represented in the English Prayer-book of Edward the Sixth and Elizabeth. With this phase of doctrine were associated those moderate views of Church government which, however objectionable to the Puritans, did not go so far as to assert the exclusive claims of Episcopacy to the acceptance of all Christian men as such. Calvinism in a more or less pronounced form had insinuated itself within this system; and, though the Anglo-Catholic position had been maintained with violence against Puritans as well as Romanists, it was this tinge of Calvinism which to some extent reconciled that faction to the existing order of things. Whitgift, who administered the penal laws of Elizabeth with the greatest strictness, was, in comparison with some of his successors, a favourite with the Puritans after his death. 'He regarded not,' says Neal, 'the intercession of courtiers, but was steady to the laws[1].'

But a different school, of which Bancroft was the first important representative, had been growing up during the later years of Elizabeth's reign. The men of this school came comfortably into the inheritance obtained for them by their struggling predecessors. They proudly looked around and saw their enemies at their feet. The glories of the English Church ran in a parallel line with the glories of the English State. In the very year of the Spanish Armada Bancroft had publicly asserted the exclusive claims of Episcopacy. Five years later, premising that 'the Church of England, so refourmed by her Highnesse, is presently at this day the most Apostolike and flourishing Church simply that is in

[1] History of the Puritans, vol. i. p. 114.

all Christendome[1],' he attacks the Nonconformists in the most bitter and trenchant manner. His sycophancy to James the First, his explicit assertion of the Divine Right of Kings, and his fame as the chief Church-controversialist of his day, naturally pointed him out as the successor to Whitgift, who in the last year of his life somewhat sullied his fair fame by joining Bancroft in the fashionable adulation of the Sovereign. Yet we can hardly in fairness dissociate the great name of Bishop Andrewes, and others of only inferior reputation, from a similar charge. Ought we to offer a too rigid judgment, closely girded round as we are with the semi-republican garments of the nineteenth century? How natural, to say the least, it must have seemed to these divines to welcome the successor of Elizabeth as the nursing-father of the Church of England! How vitally important to the preservation of that which had been so hardly gained must have appeared to their eyes the absolute appropriation of the new Sovereign as their own!

This lofty pedestal for Church and King, this 'hard and fast line' between the Church and Nonconformity, expressed in every form of intolerance, suited the heads of both parties to the alliance. James found his immediate account in it as well as the Bishops. But such success could only be temporary. An important element had been left out of their calculations,—the people of England. It was not only the Puritans as such who began to look upon the Church as their irreconcilable enemy; the laity in general indignantly complained that this was not the Reformation which their fathers had accepted.

The King had indeed accepted the doctrinal system of the Church as he had learnt it under Elizabethan auspices, and with the Calvinistic bias which then prevailed. Bancroft's

[1] Dangerous positions and proceedings published and practised within this Iland of Brytaine under pretence of Reformation and for the Presbyteriall discipline. 1593.

theological zeal precipitated the elements which had hitherto been held in solution, and divided the Church into two great hostile camps. Clarendon, while he tells us that 'Bancroft understood the Church excellently,' informs us in the same sentence that 'he had almost rescued it out of the hands of the Calvinian party, and very much subdued the unruly spirit of the Nonconformists.' The Arminian controversy raged in the Universities, raged everywhere. Though not perhaps necessarily involved either in these exclusive views as to Episcopacy, or in Arminianism as against Calvinism, a number of doctrines or shades of doctrine gathered round the Arminian and Calvinist standards which separated the parties more and more. The terms 'High' and 'Low' Church were not yet invented, nor would they, as applied in modern times, convey precisely the same idea of the old distinction as that with which we of to-day are familiar; but, roughly speaking, while the moderate platform from which Bancroft and Laud departed might be classed with modern 'Anglicanism' or old-fashioned 'High Church,' the defenders of the 'Prayer-book as it is,' the system of those leaders represented, though in a milder form, the so-called 'Tractarianism' or 'Ritualism' of our own times; while that of Abbot and his party represented, also in a less pronounced form, the position of the modern 'Evangelicals.' James himself became after a time a convert to Arminianism. His intolerant adoption of these views, the growing contempt for his person and authority, the political errors of his reign and that of his son, involved in the temporary ruin of his House the Established Church, of which he was the chosen protector, and opened a new chapter in the history of England.

It has been necessary to make this brief survey of affairs in order to introduce the personages whom All Souls sent forth during this period. The ecclesiastical polity of the last reign, though its ablest exponent was the great Hooker from Oxford, had been mainly worked by Cambridge men.

The time had now arrived when Oxford was to be the chief centre of theological controversy, and as such the centre of movement, the point to which the gaze of the nation was chiefly drawn for more generations than one. Abbot and Laud, the one the Master of University College, the other the President of St. John's, had led their respective parties at Oxford long before they wrestled with one another on a more conspicuous stage. But before we notice their connection with All Souls we must dismiss their predecessor with an extract from the single letter of his in the archives of the College which falls within our scope.

This letter of Archbishop Bancroft's hits a blot which is only too characteristic of the period, the systematic abuse of hospitality, the custom of continuous entertainments, lasting several days, given annually by the College at the time when the accounts were made up. To these immoveable feasts strangers were invited; and they usually cost as much as £40;—say, some £300 of our currency. This was the College idea as to the disposition of a part of the 'Surplus,' of which we traced the history in the last Chapter. If they were not allowed to divide such a growing income, and if the treasury was in danger of being filled to repletion, why should they not rejoice with their friends? The Visitor does not agree with them. We have seen that he relaxed the strictness of Whitgift's rules about the Surplus, and commenced the modern universal practice of dividing it among the members of the College. He has a right then to interfere. An entire reformation is enjoined. The feast is to last one day only; no strangers are to be admitted; it is to be only a 'moderate refection for the officers and ten seniors.'

But his minute, and we must suppose, experimental enquiries led him to touch the College upon a still more tender point, the strength of the College beer. Being Chancellor of the University as well as Visitor of All Souls, he announces his intention of generalising upon his experience.

'It is astonishing,' he says, 'the kind of beer which heretofore you have had in your College, and hath been some cause of your decrements; for redress whereof I do strictly charge you by all the authority I have in that behalf that from henceforth there be no other received into your Buttery or spent in commons at your College charge but either small or middle beer; drink of higher rates being fitter for tippling-houses. And what I order herein I mean (God willing) to see effected very shortly throughout the whole University.'

It is but fair to remark, on the last sentence of this letter, that as the Archbishop connects the strong beer of his College with that of others, so we gather from Wood, who well understood the manners of the generation just preceding his own, that this tendency to feasting and drinking strong beer was making head all over the University. The public feasting was exhibited at this time in a still more demoralising way than at All Souls by a custom which had grown up in the University at the election of Proctors.

'When Queen Elizabeth ruled,' says Wood, 'and long before when controversies depended between the Southern and Northern Scholars, Proctors were chosen for their scholarship, virtue, and undaunted and public spirits; but now and after he that could give the greatest entertainment was Proctor against all the world. Such vanities being suffered to be used, and especially this year (1607), gave occasion to make the junior masters idle and given so much to excess that about the same time the Bachelors imitated them in the election of their Collector, wherein great entertainments being given by the candidates of that office, divers mischiefs followed[1].'

As to the drinking, we find from the same author, a little later in the reign, that 'the number of ale-houses was greater than ever before known, so that strong measures were taken to reduce them.' And Lord Clarendon, in his Life, gives Oxford a very bad character for this vice during the time he was at Magdalen Hall, 1621–5. His eldest brother was ruined by intemperance.

[1] Annals.

By way of contrast we find that Bancroft, as Chancellor in 1607, issues orders that all University students should attend daily prayers, and, thrice a year, receive Holy Communion; that four times a year the Articles of the Church of England are to be read publicly in each College; and that the youth of the University are to be catechised once a week.

In short, the two currents of vicious license and jollity on the one hand, of minute regulations of restraint upon the other, accompanied with religious reforms, were running side by side unmixed and irreconcilable. It was the same in the nation at large, drunk with prosperity, with the University of Oxford generally—perhaps in a less degree with that of Cambridge—and with the College of All Souls in particular. Wise men could not but foresee the result. The society for which Shakspeare, Raleigh, and Bacon, filled with the Elizabethan afflatus, wrote, was too vigorous, too various, too rough, too opinionated, to be guided by feeble kings and ecclesiastical pedants. It required better government, or, as the terrible alternative, blood-letting. The opportunity soon came for bringing that question to a point.

It was not, however, the school of Bancroft and Laud which came to be identified with the repression of the kind of vices which have just been noticed. Though both of these great party leaders honestly exercised all their influence at All Souls and elsewhere in discountenancing vicious excess, the influences of those with whom they were associated told in the opposite direction. It thus gradually came to pass that the praise of morality was assigned to their opponents, and that the middle classes began more and more to recognise the Puritanic section of the Church as the legitimate representatives of true religion.

Archbishop Abbot, who succeeded Bancroft in 1611, and became the patron of the Puritans, soon made himself conspicuous for his opposition to the joviality of the age; and certainly spared no pains to make his position clear at All

Souls on the point of repression and restraint. His letters make constant reference to the faults of the College. In 1616 he says:—

'I do require you, Mr. Warden, and the rest of the officers severely to punish such of your Society as, neglecting their studies, do spend their time abroad in taverns and alehouses to the defamation of scholars and scandal of your House, and not to impart any common favours unto them unless they thoroughly reform themselves.'

In 1625 he suspends one of the Fellows, for contempt of his Injunctions and of the Statutes, from his commons, and from all voice in College affairs for the space of four months; and in 1632 we find him pained with the College beyond all endurance, and writing as follows:—

'Salutem in Christo. The Feast of Christmas drawing now to an end doth put me in mind of the great outrage which, as I am informed, was the last year committed in your College, where, although matters had formerly been carried with distemper, yet men did never break forth into that intolerable liberty as to tear off the doors and gates which are the fences of the College, and so to disquiet their neighbours as if it had been in a camp or town of war, to the great disgrace of the government of that University. Civil men should never so far forget themselves under pretence of a foolish Mallard as to do things barbarously unbecoming, from which I advise men warily to abstain, least otherwise they make themselves unworthy of any habitation in the house of the Muses, which I forewarn will be the issue of those who hereafter transgress that way.

'If there were no other means to restrain these and the like enormities, yet there is one above the rest, that God for divers years of late hath taken from you more of your Society than have died in many the neighbouring Colleges, wherein, as he best knoweth his own secret counsels, so it may well cause you to fear that some indignation has gone out against you which doth produce such fearful effects. I would move it unto you whether it be not fit that you, Mr. Warden and the Seniors, should in the fear of God seriously consult together whether by some prayers or other courses agreeable to the laws of the Church and Kingdom

you did not in humiliation expiate those sins either open or secret which may be thought to provoke the wrath of the Almighty upon you. *Dictum sapientibus sat est.* And so I leave it to yourselves. . . . And so, praying Almighty God evermore to direct and bless your endeavours, I cease, but not to be

'Your very loving friend, G. CANT.'

Both this Warden, Astley, here addressed, as well as his predecessor, Moket, had been Abbot's own chaplains. Probably, in the then state of party feeling, this did not add much to the force of the Visitor's influence in repressing disorders. But it may be observed that the above letter conveys a more favourable idea of the Archbishop than we gather from the usual sources of information. His affectionate manner of pious remonstrance betrays anything but the harsh and bitter spirit with which he is in general almost exclusively credited. It is true that it is written towards the close of his troubled life, when experience may have taught him that an appeal to the better feelings of men was likely to be the most effectual method of dealing with them.

We have in this letter the first historical notice of the famous All Souls Mallard. As the cultus of this ancient and venerable bird has exercised the minds of the greatest Oxford antiquarians, Wood, Tanner, and Hearne, he is too important and solemn a being to be discussed in the text, and will be found in an Appendix all to himself.

There are further grounds for regarding favourably Abbot's connection with All Souls. Whatever his faults, he was a good and honest man, and he would not sanction the continuance of the 'corrupt resignations' already mentioned. In the early days of his archiepiscopate he had to deal with a Warden after his own heart. Moket's name, as we shall see, was traditionally mixed up with the contest which now took place, and we may give a shrewd guess as to the state of the College feeling with respect to him from the following note of Abbot's written on the back of a legal opinion which

he and the Warden had been obliged to obtain as to the meaning of the expression *debita reverentia*, occurring in the Statutes. This opinion is all in favour of the Warden; and Abbot thus confirms it:—

'I do approve the judgment of these learned men, and further do declare that it is a part of "*debita reverentia*" unto the Warden from any of the Fellowes of whatsoever degree, to bee uncovered in his presence in any publicke or private place within the precincts of the College.

'Lambeth, May 16, 1615.'

No doubt these offenders formed only a section of the community, but 'Seniors' and all would be unwilling to have their cherished customs interfered with by those who might be regarded as mere partisans. Whether the fatal arrow which now pierced the object of their dislike was winged from All Souls must be matter for conjecture, but it is far from improbable. Deferring for a moment the Archbishop's Injunctions on the main point in dispute, let us put poor Warden Moket out of his sufferings.

Moket, like Abbot, belonged to the Calvinistic school which had flourished at Oxford under the influence of a series of Regius Professors of Divinity who held those views, and who were placed in that great office during Elizabethan times. The Visitor had, by the Statutes of All Souls, a choice between two candidates for the Wardenship presented to him by the College after free election. For the vacancy caused by Hoveden's death he naturally preferred his own chaplain. Abbot's selection for the Primacy three years earlier had given a great impetus to the strife of theological parties. It was now thought by his opponents that he might be reached through his friend, and Warden Moket had given them a favourable opening. He had written a book, and it was not his first. He is the only Warden of the College since its foundation—if we may except a certain translator of Cornelius Nepos (of whom more by-and-by)—who has been so indiscreet.

He had also been, probably by Abbot's influence, a Royal Commissioner on ecclesiastical affairs. He was thus in every respect, as we should say, 'fair game.'

The particular offence charged against the Warden was that in a somewhat Calvinistic book written with the laudable object of making the English Church better known on the Continent—*De Politia Ecclesiæ Anglicanæ*—he had made a curious omission. In recounting the Articles of the Church he had quietly left out that which speaks of 'the authority of the Church.' He was thus caught *in flagrante delicto*. The punishment was summary. His unfortunate book was ordered to be publicly burnt; and it was burnt accordingly. The Warden was of too sensitive a nature for the times. The incantations of the Middle Ages, by which an enemy was supposed to be destroyed if you could procure a waxen image of him and slowly melt it away, could not have been more efficacious. Moket was unable to survive the disgrace. He sickened and died of a broken heart, after a Wardenship of only four years. He has thus been spoken of, somewhat unfeelingly, as 'the roasted Warden.' He was buried at the east end of his Chapel; and the motto selected for his monument—a handsome structure which Abbot was doubtless instrumental in erecting—is, it must be confessed, touchingly appropriate;—*labor in via, in patria quies*. Wood calls him 'an able divine and good churchman, unhappy in nothing but the censure of his books to the fire which soon after ended his life[1].' This circumstance much affected Abbot. Heylin says:—

'The Archbishop had been off the hooks ever since the affront (as he conceived) was put upon him of burning Moket's book, which had given no small reputation to the Church of England beyond seas, for which severity though many just reasons were alleged yet it was generally conceived that as

[1] History of the University and Colleges of Oxford, original MS. in Bodleian Library.

the book fared the worse for the author's sake, so the auth did not speed the better for the Archbishop's sake[1].'

Abbot's efforts to remove the abuse as to Fellowshi seem to have been checked by the fate of Moket. At a rate we do not hear of his Injunctions for some years. 1625 and 1626 he issues the most precise and positi directions on the subject. The oath is made more stringen every loophole for evasion by any the astutest of lawyers closed up. Nothing was wanting but a Warden on the sp of sufficient probity and courage to carry through the desig and break down the obstinate resistance of men who believ that custom had given them rights not contemplated in t Statutes. Such a Warden Astley was not; nor was t Archbishop in a condition to support him effectually in arduous a struggle in such times; though indeed it may questioned whether Sancroft, who finally succeeded, was any better position. By forestalling our history a little a quoting a letter of the last-mentioned Archbishop, we sh be able to form some idea as to the causes of Abbot's failure.

This prelate, half a century later than the time of whi we are speaking, indignantly declaims against an idea whi the College in his time professed to entertain that the oa was a mere invention of Warden Moket's, an illegal stret of private authority.

'That Warden was,' he says, writing to Warden Jeam 'too wise a man; it was his patron and Visitor, your c Founder and Visitor and interpreter of your Statutes, it w Archbishop Abbot, who by his Injunctions of 1626 did mc piously and wisely, for the restraint of simoniacal pravity a practice which had broke through all provisions made agair it by his predecessors, impose that oath upon your resigne And that you may no longer disgrace it as the weak act one of your Wardens, I do hereby let you know that t wise and good Archbishop framed and wrought it off up the model of the law of the land, the Statute of 31 Eliz. c. which under great penalties and forfeitures is enjoined to

[1] Life of Laud, p. 70.

read publicly by you at every election. Had you as well considered it as you have often heard it, you would have observed that there are two corrupt practices distinctly mentioned and condemned in the preamble of that Act and distinctly prohibited in the enacting part' . . . [the first as to taking rewards for electing a candidate, the second as to any covenant made by the nominee] . . . 'and therefore the Archbishop, I say again, most piously and wisely by his Injunctions endeavoured to bring up the practice to the standard of the above-mentioned Statute, which expressly declares that *all electors should take a corporal oath to make the elections and nominations freely without any reward, gift, or thing given or taken for the same.* How this excellent and necessary provision came to be neglected and forgotten, or rather, I fear, supprest and degraded into the weak attempt of an overbusy Warden, is easy enough to conjecture; but it is not to be done without much sad reflection, which I have now no leisure for. Only I cannot omit to add my severe censure of the wicked and profane speech, whoever he was that said it, that if this oath obtained they must resign to the Devil; which I rather express my displeasure against because I have heard it thrice mentioned by several persons of your College with seeming approbation, whether as an argument or piece of wit I know not. God Almighty preserve us from making a mock of sin, and deliver us from every evil work, and preserve us unto his Heavenly Kingdom.

'I am, Sir, your affectionate friend,

'Oct. 14, 1680. 'W. CANTY[1].'

The course of our story will shew that Warden Astley allowed Abbot's Oath to be shelved; so that it came to be totally forgotten; and when Sheldon succeeded him the Civil War was already impending. But it may be remarked here that such praise as the above of men who were on the side of the Puritans from Sancroft, the stiffest of High Churchmen and a Nonjuror, is very expressive. The heat of that particular phase of controversy had by his time passed away, and such a man could do justice to those who differed with him. And it is observable that the merit of courageous energy in dealing with corrupt elections is very evenly divided between

[1] Archives of All Souls.

the two parties. The Parliamentary Visitors of the Interregnum, though indeed we can hardly class them with Abbot and Moket, were as earnest in the affair as these officials; while to Sheldon, Sancroft, and Warden Jeames, an old cavalier, but to Sancroft in particular, must be assigned the final victory. It should be noticed that this letter makes no mention of the previous efforts of Cranmer, Parker, and Whitgift. Probably the writer felt that Abbot's form of oath could alone be effectually worked.

The College was also indebted to Abbot for the resolution with which he insisted on the Fellows proceeding to their Degrees according to Statute, instead of lingering idly in residence. The University Commissioners of 1852 compare All Souls with other Colleges most favourably on this point, and Abbot must have the main credit of it. He also restrains with characteristic vigour the waste of revenue which had come to be associated with the annual Progresses. These had become no longer necessary for large portions of the College property. The rapid march of civilisation during the sixteenth century had changed the face of the country.

'Your land,' says the Archbishop, 'should sometimes be visited, but not to do it with a wanton charge, in sending too many of your company, and in travelling from town to town to get acquaintance and to see novelties[1].'

The last point which demands our attention in Abbot's Visitorship is his upright and courageous conduct with reference to 'recommending' or forcing Fellows upon the College. The celebrated Brian Duppa does indeed seem to have been put in by his special 'recommendation,' and well he justified the selection; but it must have been done in a statutable manner, and with the free consent of the College; for we find the Archbishop writing thus in 1626:—

'I have been much pressed to write to your Society and to recommend towardly young men to those rooms, but

[1] Tanner MSS. vol. 340.

according to a rule which I have put unto myself, I have given way to no importunity, but have kept me to that custom and strictly observed it. For I well know that you must make your elections upon oath according to your Founder's Statutes, and you are or should be best acquainted with those persons who stand for those places, whereas I may recommend to you those who are not so worthy or may less agree with the ordinances of your Founder.'

And again, writing in 1628:—

'My care hath been such for the public welfare of your House that I have not taken on me those things which my predecessors did usually perform. I have not drawn you to Lambeth; I have not disturbed your elections; I have not sought anything to me or mine; I have quelled that faction which was wont to disquiet your College[1].'

It is remarkable that in the one case of Brian Duppa, for whose election Abbot seems to have statutably interfered, we find him at a subsequent period in difficulty. Duppa, like Sheldon at a later date, shewed himself a man of independent character. He refused to be bound by any combination of the Fellows to vote for a particular person as Proctor for the University. To our ideas nothing could be more natural; but neither Abbot nor the Fellows would brook such conduct. Abbot pronounced him guilty of a breach of the Statutes which provide for the peace and harmony of the College, and the Warden and Fellows suspended him from the enjoyment of all College privileges for three months! This admirable man, whose whole life seems to have been, if we may say so, faultless, could not possibly have been one of the 'faction' Abbot here mentions. No doubt the reference is to those opponents of Moket whom he obliged to pay '*debitam reverentiam*' to their Warden. Abbot's disapproval of Brian Duppa probably formed a favourable introduction for him to the notice of Laud, with whom he was to be so intimately associated at a later date as Dean of Christ Church, Vice-

[1] Tanner MSS. vol. 340.

Chancellor, and Bishop. He was early known for his adoption of Arminianism, and was satirised by his opponents for his action in that respect as Vice-Chancellor in 1632[1].

Abbot, in the above letter, might have stated his claims to the respect of the College still more strongly; for he stood in the gap when James was bent on a more glaring attack on the College privileges than had ever yet been attempted. We must preface this transaction by a few words.

We have seen that Queen Elizabeth tried her hand upon the Warden and Fellows of her day, and was on the whole successfully resisted. The growing wealth of the College naturally attracted the attention of James, eagerly looking around in all directions for means of gratifying the herd of courtiers who surrounded him. The adulation of the Bishops, and of Bancroft in particular, set him on the track of Church preferment; and of course All Souls, to the imperious eye of the King, appeared the most natural prey in the world. With the Crown and the Visitor against them the College had a hard fight. Not that we can afford to bestow unlimited sympathy on the College of that day. Their own proceedings gave a fair handle to their oppressors. If they had not sinned against the Statutes notoriously enough to bring down on them a continuous fire from Lambeth they might have escaped more easily from the attacks on their liberties which proceeded from the side of Westminster.

One of the worst cases of this kind is the gross breach of the Statutes, effected by James and Bancroft between them, in forcing upon the College Robert Gentilis, a son of the celebrated civilian, Albericus Gentilis. He was below the statutable age, and Bancroft at first backed up the College in its resistance; but both he and the College succumbed to the Court. A collusive devolution of the

[1] Wood's Annals.

election to the Visitor took place, and Bancroft put in the youth. Two other equally distinct invasions of the Statutes the College succeeded in resisting; they were Mandates from the King to elect two Scotchmen. But their courage gave way in the case of an Englishman, in consequence, it seems, of a letter from a friend at Court assuring them that the King felt himself 'slighted, since his recommendation had not been received with the honour due to so gracious an interference[1].' The King's Mandamus for a presentation to an All Souls living was also obeyed. The following letter seems however to shew that though the College found it necessary to bend to the storm, and though their own private methods of election were 'corrupt,' they still contrived to secure that those elected should come up to a fair standard of attainments; and we shall observe in the reign of Charles the Second, before the reform was effected, great strictness in examinations. The number of distinguished men the College produced points to the same fact; and even in the case of these youths, forced on them from without, there is a probability that, being sons of men of eminence, their education had not been neglected. As the letter is characteristic of the times it may be given in full. It has been supplied for this book by the kindness of the present Lord Salisbury, a former Fellow of All Souls.

'The Warden and Fellows of All Souls College, Oxford, to the Earl of Salisbury.

'Right honorable and our very good Lo. (our dueties most humbly premised). Whereas it pleased the King's most excellent Ma^tie and yo^r Lo. to recomendé unto us one S^r Yeo, a Bachelor of Arts, to be chosen at our last election Probationer of our College. Insomuch as the said Yeo was not chosen to the said place we thought it our duety to acquainte yo^r Hono^r with the true cause and reason which hindred us to make choice of him, hopeing thereby to

[1] Book of Coll. Estates, F. P. *penes custodem*, p. 180.

avoid all sinister opinion that otherwise might perhaps justly be conceaved against us. May it therefore please yo^{r} Lo^{p}. be advertized that by an Injunction it is ordered that suche Schollers as expect a place or rome in the said Colledge shoulde three dayes before the Feast of All Saints make their apparance in the chapell of the saide Colledge there to be tried for their sufficiency in learnyng. Contrary to which Injunction the said Yeo did not submytt hymself to any examinacõn at all. Also wee had uppon due examinacõn passed our consents to other Schollers (before the said Yeo delyvered unto us his Ma^{tes} and yo^{r} Ho^{rs} L'res) not expecting any other Competitor. And further it pleased his Ma^{tie} very earnestly and with a clause of derogation to any future L'res to recomende unto our choice S^{r} Cesar, second sonn to S^{r} Julius Cesar, his Ma^{tes} M^{r} of Requests, who we elected accordingly. Thus beseeching yo^{r} good Lo^{p}. in regard of the premysses to houlde us excused herein, wee humblie take our leave, directing our prayers to Almightie God for the contynuaunce of yo^{r} health with increase of hono^{r}.

'Yo^{r} Ho. most humblie to be comaunded; The Warden and Fellowes of All Souls Colledge in Oxford.

'From All Soules Colledge in Oxon this nyneth of November, 16c5. To the Right Honorable o^{r} singuler good Lo. the Erle of Salisburye[1].'

There is some excuse for the servility of this letter, since it was written four days after the discovery of Gunpowder Plot; but when the College had given up its independence so far, it is not surprising that the King should think he could do what he liked with it. He determined to fill up the vacancy in the Wardenship, caused (in 1618) by the death of the unfortunate Moket, by imposing on the College one Dr. Beaumont, a friend of his own. So far from anticipating any difficulty, his Mandate informs the Fellows that

'We intend to continue our favour towards you and the chosen Warden of your College at the time of your election notwithstanding he be a married man, which we hold to be no impediment to bar him, having no children nor ever likely to have any. And further, we, tendering the good

[1] Cecil Papers, 112. 167. Hatfield House.

of your College, conceive that he will be fitter governor among you by reason of his years and long experience in the state of your House.'

James had gone in this letter one step too far. The College was now touched upon its tenderest point, the free election of a Warden; and they gathered, not without reason, that the Visitor, whose chaplain they had elected on a former occasion, would feel the blow as well as themselves. They throw themselves upon his protection, and beseech him to intercede for them. In this letter they say that they are

'bound by oath and by general clauses of Statutes, to elect not for entreaty, fear, or reward, but such an one as our consciences shall tell us, and we firmly believe, to be more fit and sufficient than others. And forasmuch as Dr. Beaumont is a man known but to a very few of our Society by reason of his long discontinuance from us and the University, we could not have such certain knowledge of him as of others, and as our most honourable Founder strictly requireth of us.'

We are in the dark as to the influences which prevailed on James to give way. We only know the result. Dr. Beaumont did not become Warden of All Souls, and Abbot's chaplain, Astley, did. It must have cost the Archbishop a severe struggle; but want of courage was not one of his faults. This was the very year in which he refused to allow the 'Book of Sports' to be read in churches,—the very year in which James shewed his vindictive disposition by the execution of Sir Walter Raleigh. Abbot soon fell into disgrace. He was persecuted by Laud and Charles the First; his memory has been bitterly pursued by Collier, Clarendon, and their followers; his 'moroseness' towards all except the Puritans—which, however, Wellwood, quoted by Le Neve[1], only calls an 'unseasonable stiffness,'—has left him few advocates; but his fearless resistance to what he thought wrong

[1] Lives of the Bishops.

has scarcely ever been allowed to weigh sufficiently against his less amiable qualities. He was certainly as much sinned against in those violent times as sinning. It should never be forgotten that he did not quail, as stronger men did, before James the First at the iniquitous trial of Lady Essex, nor before Charles the First, when to refuse a licence to Sibthorp's unworthy sermons was to subject himself to that ill treatment at the hands of the martyr-King which must ever form one of the most serious blots on Charles's escutcheon. The assistance he rendered All Souls at a critical moment, illustrates the better side of his character.

One of his Injunctions (1626) is sealed with his favourite device, 'Abba Pater,' the same which is found in the windows of his munificent foundation, 'Abbot's Hospital,' still usefully flourishing at his native town of Guildford. He has been thought open to some ridicule for the vanity or profanity of this rebus, but in condemning it we must remember the taste of the age, and at least must acknowledge that he has some claim to be remembered with filial reverence both at All Souls and his beautiful birth-place in Surrey, to which he owed also a quiet retreat during his disgrace.

In weighing the praise and blame which attach to all parties concerned in these transactions we shall derive some assistance from observing how great must have been the influence of the party which supported the King's exaggerated notions of his prerogative,—and therefore how great the temptation to himself to exceed Constitutional limits,—when Oxford University, in 1623, could publicly censure Knight for teaching doctrines on the royal authority which we should now call most entirely moderate and reasonable[1].

A more pleasing aspect of College elections is presented by the following letter from Dr. King, Bishop of London, in 1620; and it may conclude the notices which come under the reign of James the First. This worthy Prelate thus

[1] Wood's Annals.

expresses his thanks for the election of his son to a Fellowship:—

'Good Mr. Warden; I heartily commend my love to you. I shall now commit one of my sons to your care and protection. I beseech you let him not want such ordinary favours in your House as you may doe to him. Amongst and above the rest I should be glad if any religious, studious, and stayed man of your House might but have an eye over him, and help him with direction and advice in his studies. I should not be unthankful to him. I have for the present sent unto you by Dr. Iles a brace of does to be serv'd out of Woodstock Park and the fees to be discharg'd by Dr. Iles, together with £5 which he shall deliver into your hands for wine, pepper and flour; likewise a standing guilt cup for the College for memorial of my thankfulness, and a lesser guilt cup to yourself upon the same motive as taking myself much beholden for your kindness. This I doe not either to prejudice any local order in your House, or to prevent any dues either of plate or gawdies usually to be paid, but, without relation to my son's admission, abstractly and simply to testify that love which I owe to you all for your love to me and mine. Elections cannot be made without general concurrence. I cannot thank you all singly and apart, and therefore desire that this poore present may be accounted by you all in lieu thereof. And albeit I drinke not wine, yet in such drinke as my infirmity will admitt I have out of the College cup drunk to you all, wishing all happiness and welfare to your Colledge and every member thereof.

'Your assured loving friend, JOHN LONDON[1].'

The reference in this letter to the 'dues of gawdies usually to be paid' shews that the practice of All Souls in that respect had come to be recognised outside the College. The custom of the newly-elected Fellows giving a feast to the rest had been long established, and forms the subject of more than one complaint from Lambeth. It was not confined to All Souls, being common enough in English institutions; but it passed away from the College practice before the end of the century; or, at least, no later traces of it are observable.

[1] Book of Coll. Estates, F. P. *penes custodem*, p. 180.

It fell in with the convivial habits of the age; but the Bishop evidently saw no incongruity between such good cheer as his liberality could provide, and the 'religious, studious, and stayed' habits which he desired to find in the tutor for his son. He could drink no wine himself, but he did not see why others should not. He represented the true old English spirit of moderation and liberality; but the age was developing into one of excess on both sides; the golden mean was lost. High-minded reformers ruined their influence by descending to censoriousness, and then to cant. Their opponents, out of bravado, threw away restraint, and gloried in wrong. Nothing but a period of suffering could cure the evils of English society!

Whether such a generous recognition of the 'love' of the College for the Bishop and his son may not have been somewhat demoralising to the Society in reference to future elections, is open to question; but at any rate an election of this sort, which evidently was not 'corrupt,' is far more satisfactory to contemplate than those which had become the general rule, or than those which were superseded by devolution to the Visitor; still more than those which were not elections at all, but improper interferences on the part of kings and nobles.

CHAPTER IX.

All Souls during the Laudian Period.

1633–1642.

Brian Duppa; Steward; Sheldon as Fellow and Warden — Laud and Jeremy Taylor; criticism of Heber's treatment of the subject — Laud's Letters and Reforms — Laudian Revival at All Souls — Duck and Digges — College Gaudy — Pressure of hard times — Sheldon at Great Tew — His politics identical with those of Hyde and Falkland — Comparative place of All Souls among Oxford Colleges and Halls.

WHILE the Calvinistic section of the Church, gradually becoming more and more identified with the assertors of civil liberty politically, and with the Puritans religiously, had thus, under Abbot as Visitor and his two Chaplains as Wardens, been the party in high places at All Souls, the school of Bancroft and Laud was gradually obtaining a more and more secure footing among the Fellows of the College. Such men as Duppa, Steward, and Sheldon, during the many years of their residence, could not but exercise an enormous influence, all the more no doubt as representatives of a school of thought which had become fashionable amongst the upper classes, but which their immediate superiors did their best to depress. Laud was becoming more powerful as Abbot became more obnoxious at Court; and these All Souls men were his intimate friends. Soon after Duppa, who had remained seventeen years at the College, became

Dean of Christ Church, Jeremy Taylor became a Fellow. By the time Sheldon was elected Warden in 1635, Laud as Archbishop having succeeded to the post of Visitor in 1633, the complexion of the College was entirely fixed. We hear no more of their opponents till the government of the sword superseded for a time the free working of all English institutions.

The history of Gilbert Sheldon, the most distinguished on the roll of the Wardens of All Souls, is in many respects, before and after his forcible expulsion from his post, the history of the College. No man was more influential in promoting his views of Church and State within his University. No man was more fully in the confidence of Charles the First during the later years of that monarch's life. No man had a greater share in keeping his party together during their adversity. No man exercised more authority than Sheldon in the re-settlement of affairs at the Restoration. Consequently no man's memory has been more bitterly attacked by the opponents of his principles. No man has been so successfully deprived of his just title to respect, if not to admiration. No man has been so completely deserted by modern writers of his own party. It may seem Quixotic to attempt to rehabilitate such a character, and to place it on the historic stage in any different light. It will certainly seem presumptuous. It will be best then to give merely such unquestionable facts and documents as present themselves, and to leave them to tell their own story, with only such commentary as is absolutely necessary. At the end of his career the chief authors who have successfully conspired to depose him from the place which he occupied in the view of the men of his own time, shall give their statements. It may perhaps open our eyes as to the way in which the 'history of England' has in too many cases come down to modern times.

For the thirteen years of Sheldon's life as Fellow we have

only a few notices, but those are suggestive. We may gather from the scenes enacting around him, and in which he was already a conspicuous actor, how he was preparing himself for the arduous labours which were awaiting him. In the private struggles of the College to which we have referred in the last Chapter we are, indeed, left to conjecture how far his Laudian proclivities interfered with the support which he was morally bound to contribute towards Abbot's efforts to reform abuses; but the following statements seem to indicate that he was from the first a fearless and independent man; and in the very first year of his Wardenship he refused to be forced to do a wrong even by his friend and patron, Laud himself. Wood tells us[1] that in the year 1623 a body of Oxford men met to discuss the great Arminian controversy, and that Sheldon opposed the doctrine which went by that name. This was just when it had become fashionable, when the King had become a convert, and Laud was rising to power. In the absence of further evidence on this point we may suppose that his strong good sense revolted from either extreme of the controversialists, and adopted the *via media* which the Articles of the Church exhibit. Again, in Kennett's Register, we find that Sheldon was 'the first who publicly denied the Pope to be Anti-Christ,' to the extreme astonishment of Dr. Prideaux, who was 'Doctor of the Chair' at the disputation.

His opposition to Laud took place on the well-known occasion when the Primate, as Visitor, intruded Jeremy Taylor on the College. That transaction must now come under our consideration. Those who have followed the previous notices of All Souls elections to Fellowships will be in a position to understand the conduct of the Archbishop better than the biographers of Taylor. Bishop Heber in his admirable 'Life' of that divine, though a Fellow of the College, has, from want of acquaintance with its past history,

[1] Annals.

been led into serious errors; and his excellent Editor, the Rev. C. P. Eden, not being a Fellow of the College, could not be expected to correct them. It is an unpleasant task to reopen the charge against Laud when such a man as Heber had condoned it; but we gain nothing by resting satisfied with anything short of the whole truth.

The matter stands thus. One of the Fellows, named Osborne, handed over his Fellowship to Laud, who 'recommended' Taylor to the College for the vacancy. The Fellows 'almost unanimously' elected him; but Warden Sheldon exercised his Veto. He had good reason; since Taylor was a Cambridge man of nine years' standing, of which the last two had been spent as a Fellow of Caius College. He had indeed, ten days previous to the election, been entered, under Laud's orders, by way of colourable pretext, on the books of University College. Sheldon did not consider that he thus became an eligible candidate; for the Statutes of All Souls require that a candidate must have three years' standing as an Oxford student. Laud persuaded himself that this was no difficulty; and on the election devolving to him as Visitor, in consequence of the disagreement of Warden and Fellows, he at once appointed Taylor to the vacancy. There cannot be two opinions on this transaction; and Wood, who, however, believed Taylor to be under age as well as a Cambridge man, in relating it condemned it in the decided manner which it deserved.

Bishop Heber, anxious to remove a blot from the memory of the Visitor and his nominee as well as from the College, thought he discovered in Laud's original letter deposited in the archives, and in a contemporary statement that the Fellows were almost unanimous in the election, a sufficient defence against Wood's censure. He considers that his is 'the true statement of a transaction which Wood has considerably misrepresented, as if Laud had by an irregular and unwarrantable exercise of authority intruded Taylor into a

College which was neither disposed, nor statutably able, to receive him;' and sums up with observing that 'it is plain the Archbishop had at least a plausible excuse for his recommendation of a candidate, and a ground, whether tenable or not, which might justify his recommendation of Taylor.' It is sufficient to remark upon this unfortunate attempt to exculpate Laud, that colourable pretexts and 'plausible excuses' in order to evade Statutes leave as bad a stain on those who make them as absolute violence, if not worse; and that the 'disposition' of the Fellows to receive Laud's nominee, so far from affording an excuse, is the worst feature of the affair. Before shewing the true meaning of this 'almost unanimous' consent, it may be well to print Laud's letter on which Heber bases the chief part of his defence.

'To the Warden and Fellows of All Souls Coll., Oxford.
'Salutem in Christo.

'These are on behalf of an honest man and good scholar. Mr. Osborne being to give over his Fellowship was with me at Lambeth, and (I thank him) freely proffered me the nomination of a Scholar to succeed him in that place. Now having seriously deliberated with myself touching this business, and being willing to recommend such a one to you as you might thank me for, I am resolved to pitch upon Mr. Jeremy Taylor, of whose abilities and sufficiencies every ways I have received very good assurances; and do hereby heartily pray you to give him all furtherance by yourself and your Fellows at your next election, not doubting but that he will approve himself a worthy and learned member of that Society. And though he had his breeding for the most part in the other University, yet I hope that shall be no prejudice to him in regard he is incorporated into Oxford, *ut sit eodem gradu et ordine*, &c., and admitted into University College. Neither can I learn that there is anything in your local Statutes against it. I doubt not but you will use him with your fair respects as befits a man of his rank and learning, for which I shall give you thanks. So I leave him to your kindness, and rest,

'Your very loving friend, W. CANT.'

One might be tempted to make light of such a splendid

wrong as the intrusion into All Souls of a man like Jeremy Taylor; but the course of our history will shew what a vital principle was involved in the purity of elections. The Visitor had an excellent end in view, but his means were 'unstatutable and unwarrantable.' His headlong method of proceeding in spite of all obstacles was only too characteristic. What could be the effect on a College which had already received so many grave admonitions for its ingenious and obstinate evasions of its Statutes! The Archbishop's error was twofold. Besides the incredible blindness which prevented him from seeing 'anything in your local Statutes against' putting a Cambridge Fellow, who had been incorporated into Oxford University for only ten days, into a place for which the Statutes required an Oxford standing of three years, what can we say to his receiving a vacancy at the hands of a resigning Fellow? Bishop Heber is astonished at Osborne's offer of his Fellowship to Laud, and finds it 'not easy to conjecture' what authority he could have for making it. It is really more difficult to conjecture how the Bishop could have been unaware that the practice of filling up vacancies by a nominee of the resigning Fellow had long before this time fallen into a regular system. It is thus described in Warden Jeames' correspondence with his Visitors[1]. He says it is 'a custom which hath held ever since the time of Dr. Astley, who, as I have heard, was a very easy Warden, and this custom was for the Warden to fill up the dead places, and the Fellows to nominate into their own places on their resignation.' No doubt the 'custom,' judging from the efforts of so many Visitors to put a stop to the abuse, dated very much further back, but there is no doubt about its having been fully established in Laud's time. The power of filling up his own vacancy had come to be regarded as an indefeasible right by every Fellow.

[1] Tanner MSS. vol. 340. A MS. copy of many of the papers relating to All Souls, including the above letter, had been deposited in the Codrington Library many years before Heber wrote.

Thus Osborne made an offer to Laud—(not of course for any money equivalent)—which was looked upon as perfectly natural by his brother Fellows, and which they would not oppose for fear of their own nominees being opposed when their turn came. That on this occasion they were only 'almost unanimous' was probably due to the 'less pliant or more scrupulous' attitude, as the Bishop terms it, assumed by Sheldon. Heber does, however, a little later in his narrative, give Sheldon the praise of 'a conduct throughout the affair at once spirited and conscientious;' but if so, what shall we say of Laud's part in the matter? Laud knew all that Sheldon knew. There was no 'reasonable doubt' whatever in this case. It was what we should nowadays call 'a barefaced job,' all the worse because it sanctioned a 'custom' which four at least of Laud's predecessors had done their utmost to destroy, which defeated those very Statutes of the Founder the Visitor was expressly appointed to see executed, and accompanied, as it was, by almost every circumstance which could encourage future evasion of law, was absolutely demoralising to the College.

We may try in vain to understand how so good a man could have laid himself open to such a judgment. We can only imagine he had persuaded himself that as his predecessors had failed to grapple with a custom which had rendered the Statutes obsolete, and as, under such a system, it was a mere chance if a superior man found his way into the College, he was doing his best for the real good of the institution by putting in, when the opportunity offered itself, such a man as Taylor. This is not to say much; but the influence Laud was now exercising both in Church and State was so enormous that it would seem he gave little weight to the finer considerations which under other circumstances would have guided him.

From Laud's other letters in the archives of All Souls we may extract a few sentences which tell much more to his credit, and which may enable us to conclude what has to

be said on the connection of the Archbishop with the College, before we resume the notices of his friend the Warden.

Soon after he became Visitor he writes (Dec. 20, 1633) in a manner which shews his considerate regard for the convenience of the College officers. If the College will send him its accounts every year 'he will not cause two of the Fellows to take such a dirty journey as these two have done.' He has, however, a couple of complaints to make already; 'one that the scholastic exercises required by Statute are not duly kept; and the other, that the Fellows, divers of them, are too chargeable in their clothes and follow the fashions too much.' But the next year he writes (Aug. 1, 1634):—'I do find that some things are very much out of order.' He specifies the election of the younger instead of the senior Fellows to the office of Dean, inasmuch as they demur to punish offences 'because themselves are equally culpable with the offenders, and so might be thought to punish themselves in others.' And again:—

'This charge I require you, Mr. Warden, to deliver to all the Fellows, but especially the officers, that they use not long, undecent hair, nor wear large falling bands, nor boots under their gowns, nor any other like unstatutable novelty in their apparel.' And he ends with threatening to use all his power if he is not obeyed, as he will not 'suffer either the discipline or the thrift of that College to decay or be impaired, but I hope this fair admonition will amongst such ingenious men produce all such good effects as are desired. In which hope I leave you to the grace of God, and shall ever rest,

'Your very loving friend and Visitor,

'W. CANT.'

Finally, he makes (in March $163\frac{7}{8}$) a special complaint of the management of a portion of the College property, partly because it injured the property of his own See, and 'partly because I am a great hater of depopulations in any kind, as being one of the greatest mischiefs in this kingdom and a very ill example from a College or College Tenant;'—a

sentiment which even his bitterest enemies could hardly have represented as tyrannical.

There would no doubt have been a far larger collection of letters from which extracts might have been culled, if Laud had not been involved in such a mass of various labours at this time, and if the troubles under which he was so soon to sink had not been gathering up from all sides. After his magnificent reception of Charles and Henrietta at St. John's College in 1636, and the promulgation of his Statutes, he might well cry *Nunc Dimittis* as far as Oxford was concerned. He had put an end to the disorders of the University, procured a new Charter, entirely reformed its Statutes, established a Cycle of Proctors (which existed until a few years ago), instead of that debased system we have already noticed, instituted a new residence for the Bishop of the diocese, largely encouraged the study of Oriental languages and other hitherto neglected subjects, and given back to the place that ecclesiastical tone which the loose habits of the age had sensibly impaired. For the want of judgment shewn in particular instances, as well as for the violent partisanship of his rule, he was now to suffer at the hands of merciless enemies blinded with passion. Against most of the twenty-three projects of reform—some of them gigantic—noted in his Memoranda, he found himself able, at the expiration of only ten years, to write the grateful word—'Done.' Yet even Heylin is obliged to admit the too great haste with which his master pressed on his measures.

Some entries in the books of All Souls, scanty as they are, will help us to understand the spirit generated by the sort of reforms Laud effected. For the first time since the iconoclastic proceedings of Edward the Sixth's Commissioners we hear of some attempt to restore the Chapel to decency and order. We have seen that the statues, the crosses, the numerous statuettes adorning the reredos (which was left a mere wreck), and the numerous altars, had been destroyed.

Even the 'Lord's Table,' which was retained, had been moved away from the east end of the Chapel. We do indeed find, as early as 1619, that a 'murrey velvet carpet with gold and silk fringe for the Communion Table' was procured; and in 1624, 'This year were our Responsaries in MS. used on solemn dayes in our Quire, and our Com^n for our Benefactors first fram'd and plac'd in our 3 Communion Books in y^e Chaple;' but in 1629, when Abbot was suspended from his functions as Metropolitan, and Laud's influence was supreme, though he was not yet Visitor of the College, we read that 'the Communion Table was advanced from y^e midle of the Chancell to y^e upper end above the ascending steps.'

It may be here remarked that it is strange this proceeding should have excited so little attention, while the 'setting up of the altar' at Magdalen, two years later, caused a great disturbance at Oxford. Some preachers who denounced the novel 'Ritualism' which was introduced at Magdalen along with this alteration of the position of the 'altar,' were expelled the University by Laud. So exclusively was public attention fixed upon that College in consequence of this harsh treatment, that Wood and Calamy are both quoted by the learned author of the 'Register' of Magdalen for the assertion that it was the first to make the change. All Souls had evidently, under the management of the able men who then influenced the Society, been more cautious in its method of adopting the Laudian model than its kindred institution.

The history of the two Colleges has many points in common at this period, and indeed all through their career. Archbishop Chichele touched Wykeham on one side and Waynflete on the other. New College and Magdalen are the elder and younger sisters of All Souls,—in many respects very much alike, but in the plan of their fabrics eminently so. They are the three Colleges in which the

position of the Chapel with regard to the hall necessitated a lofty reredos instead of an east window. At Magdalen there seems to have been a more successful effort to restore the Romish rites in the reign of Queen Mary, and, in the reign of Charles the First, a further advance than at All Souls towards the restoration of the Chapel in the direction patronised by Laud; but the desecration or reforms of the Chapel and Services under Henry the Eighth and Elizabeth, and the general restoration which took place after the Commonwealth, seem to have been as nearly as possible of the same character at both Colleges. At the Restoration, Magdalen, like All Souls, covered the ruins of its defaced reredos with a fresco of the Resurrection; but the previous destruction had probably been more complete; for when restored in our own day there seems to have been no such discovery of the magnificence of the old work—if indeed there was such to discover—as at All Souls.

The slight records which remain of this effort to restore All Souls Chapel in the reign of Charles the First have some value by way of illustration of the times. A sense of shame at the condition of the Chapel comes over the College. In the book containing the 'Acta in Capitulis' of this period occurs an entry, dated 1633, to the effect that 'the auntient Fellows should be spoken unto for their benevolence towards the providing of organs and a quire for the chapel.' The 'auntient Fellows' seem to have been tardy in their response to this appeal. Perhaps they were waiting for the actual Fellows to begin; perhaps they saw that the times were not ripe for this vigorous ecclesiastical movement; perhaps they remembered with misplaced affection the ruined walls and bare services which had been good enough for them, and which had served for many generations of their predecessors, men who had done splendid service in Church and State. At any rate it is

not for five years that we perceive anything like a practical step in advance. Sheldon had now become Warden, and he made a beginning.

In 1638 we find another entry in the same College book, where three Fellows are commissioned 'to draw articles, contract and bargain in the College name with the Joiner concerning reparation of our Chapel, yet so as these articles and agreements must also be approved by the major part of the Fellows.'

Further, a little book is still extant containing 'the names of such worthy Benefactors who have contributed to the beautifyinge of the Chapell of All Soulne Colledge in Oxon, and the reestablishinge the Quire in the same left by the Founder.' Duck, who having been elected in 1607, was now a senior Fellow, seems to have been the chief agent in collecting the subscriptions noted in this book, commencing it with a handsome donation from himself of a hundred marks; but the entries cease even before the year 1638. In that year however, corresponding to the above entry in the College book, occurs a record in this subscription book by Sheldon, stating that he had disbursed £200 of the money collected, and handed over the remainder to certain Fellows. Some necessary repairs were no doubt made at this time; but the funds were small; and nothing seems to have been done to restore the 'organs,' or the 'quire left by the Founder,' or the ruined reredos. We hear no more of the restoration of the Chapel for a whole generation. The blindest must have perceived that the storm which had so long been lowering over the land was about to break in all its fury. To spend money upon Chapels was indeed to throw it away. We may well imagine with what reluctance such men as Sheldon, Jeremy Taylor, and Duck, supported no doubt by Laud, Duppa, and Steward, would give up their darling scheme.

The name of another junior Fellow besides Taylor may also be safely associated with the guidance of the College in this direction, if we may judge by the works he has left behind him. Dudley Digges, son of the famous patriot, Sir Dudley Digges, was elected at All Souls in 1633, and died at the commencement of the Civil War. His books, long forgotten, and indeed not claiming more than a temporary fame, prove him to have been an unflinching advocate of Divine Right and Passive Obedience. As narrow in their scope as those of his opponents, they at least served to keep alive in their measure the zeal of the persecuted Royalists, and provided them with arguments from the Schools not wanting in ingenuity.

A much humbler restoration had however been previously effected in the College. We read in the 'Acta' of 1633 that

'This yeare our College gates were repaired and lyned faceway towards the streete, and lykwise newly adorned with the Armes of His M^tie^, of our Prince, and of our Founder; and also the three statues over our gates, of our Saviour, of King Henry the Sixt, and our Founder, were at the same time polished, smothed and renewed with vernishe and guilt as formerly they had bene.'

This entry is only noticeable as proving that in the age when most of our present University and College buildings were erected or restored to the condition in which we now see them, the grey monotony of the stone fronts was relieved certainly by gilding, and probably by the free use of colour, to which the 'varnish' was in this case applied. Just before this time the statue of James the First, newly raised aloft on the tower of the Schools Quadrangle, had been covered with gilding, but in such bad taste that it blazed with unmitigated splendour in the western sun, and the whole effect was spoilt. It is to the credit of James's good sense — a quality he did not often shew — that as soon as the University dignitaries pointed it out to him with pride on

the occasion of his visit to Oxford, he made an earnest request that the gilding might be removed[1]. It was complied with, of course. A curious superstition has attended this historical statue. The decomposition of its parts by age is said to have coincided with sundry political events. The arm fell on one date; the sceptre on another. The Bible is said to have dropped on the day when the Roman Catholic Emancipation Bill passed into law! Of the statues mentioned as being over All Souls gate, that of 'our Saviour' must have filled the vacant niche inside the quadrangle. Having given offence to the Puritans, it was never renewed after the Commonwealth desecration. How the quaint representation of the Resurrection over the gateway escaped is surprising.

A glance at the sumptuary condition of the College is afforded us by the official entries in the College books of the reigns of the first Stuart sovereigns.

The annual Surplus, as we have seen[2], was large, and portions of it were spent, as Abbot desired, in building parsonages for College livings, and in converting the cloister green (the present inner quadrangle) into a 'garden with arbours,'—in later times called 'the grove.' This was done in 1611. In 1619 the Founder's tomb in Canterbury Cathedral was restored at a cost of more than £100. The great Gaudy on All Souls' Day was also made more worthy of these prosperous times, as we find by the following grateful entry in 1618:—

'Whereas our Gaudyes on All Soules Day to the Side Tables in the Hall were but five dishes to every Messe, viz^{t}. Pigge, Goose, Capon, Rabet, and Bustard, this yeare our Bursars, viz^{t}. Mr. Aylesworth, now D^{r} of Lawe, and Mr. Winne, Bachelo^{r} of Divinitye (at the incition of the Warden, D^{r} Astley), they affecting more the publick honor of the Colledge that day than the entertainment of their own private friends, did very readyly and willingly condescend that their third Messe usually that day for the Bursar's table

[1] Wood's Annals. [2] p. 110.

should be conferred in common that day for the augmentation of Gaudyes throughout the Hall. Soe that whereas that day they had but formerly five dishes to a Messe, now it amounteth to eight dishes for every Messe to each Side Table in the Hall.'

This notice evidently owes its place in the College book to the strong and general feeling that so excellent a precedent should never be allowed to slip out of memory. But the golden age was about to be replaced by one of iron. In 1630 the price of provisions had so seriously increased under the growing distress of Charles's unfortunate government that the College 'thought good to abridge y^e^ cost and exceeding of our All Soules Day Feast, and what by that means wee spared wee did designe *in pios usus;* viz^t^. to the House of Correction, newly erected in Oxford, x^li^, to the Poore of y^e^ Citie xx^li^.' It is interesting to observe the coincidence of the date of this notice with others above-mentioned. The Laudian revival had, as we have seen, just begun to shew itself at the College in a practical form, and it was too strong to be openly resisted; but it might not have commended itself to the junior Fellows when it touched the vital question of the great College entertainment. Hence perhaps the break-out on the part of these gentlemen which Abbot, in 1632, especially reprehended[1]. Their Gaudy was curtailed; they would take care there should be no mistake about the festivities of the Mallard.

But in 1636 matters are even worse. For that year the Gaudy was altogether omitted, and £10 given to the poor of Oxford instead of it. It was also 'agreed by M^r^ Warden and Fellows that the Commons for every Monday dinner during the publique Fast should bee disposed of to the poore of the Citie, the value thereof in money.' The College charities, all through this period, flow in many directions. Besides a weekly payment of four nobles for the relief of the sick and

[1] p. 126.

poor, which commenced in 1626, we notice, among other things, in 1631, a sum of thirty shillings given to John Baptista Rena, an Italian convert; in 1633, a sum of fifty shillings bestowed upon 'the reliefe of the Bohemian Ministers;' and in 1635, eighteen shillings to an Armenian priest. We hear of no more disturbances. The College is effectually sobered. Sheldon and his friends are supreme. Perhaps in the relief of these foreigners we may perceive a trace of Laud's peculiar influence.

Let us now look round us, and observe what other people thought of the Warden, who was soon to be called to play a more important part than we have described from official sources in his own College. His first patron seems to have been the Lord Keeper Coventry, through whom, as Lord Clarendon tells us, he was brought into notice in connection with public affairs. Henry Coventry, Charles the Second's Secretary of State, was probably introduced through Sheldon to All Souls, where he was elected Fellow in 1634, and of which he proved one of the most distinguished ornaments. It was while Sheldon was still a Fellow of the College that Clarendon drew his picture in his happiest manner in a well-known passage. In that famous description of Lord Falkland's life at Great Tew (which has been so often quoted with admiration and so seldom excited imitation), at that glorious residence which 'looked like the University itself by the company that was always found there,' we find the name of 'Dr. Sheldon' standing first, along with those of 'Dr. Morley, Dr. Hammond, Dr. Earles, Mr. Chillingworth, and indeed all men of eminent parts and faculties in Oxford, besides those who resorted thither from London.' And in another passage Clarendon tells us that 'Dr. Sheldon's learning, gravity, and prudence had in that time, and when he was afterwards Warden of All Souls College in Oxford, raised him to such a reputation that he then was looked upon as very equal to any preferment the Church could yield or hath since yielded to

him; and Sir Francis Wenman' [Lord Falkland's most intimate friend] 'would often say when the Doctor resorted to the conversation at the Lord Falkland's house, as he frequently did, that Dr. Sheldon was born and bred to be Archbishop of Canterbury [1].'

These extracts fix Sheldon's position in point of ability and moral excellence; and they convey an idea of him perfectly in keeping with what we have already observed. We have seen also that he was a wise and moderate man in matters of religion. He was now to stand forth as one of Charles's chaplains and chief advisers in his troubles, to take his place among the most important political personages in England. At the Restoration we find him holding a position scarcely second to that of Clarendon. By these two men Church and State were resettled on the basis which has lasted down to our own day. What were the political opinions of the man? What guidance have we as to the views he held at the outbreak of the mighty struggle between King and Parliament? This has never yet been understood; but the intimacy we have seen to exist between him and the society which gathered round Lord Falkland might lead us to expect something different from the mere slavish doctrines of Divine Right and Passive Obedience which found favour at Court. The man who could hold his own against Laud in the height of his power had already learnt independence of thought and moral courage.

It is satisfactory to be able to point to a letter from Sheldon himself, which has never yet been published, in confirmation of what would otherwise be mere conjecture. In the 'Clarendon Papers,' preserved in the Bodleian, is to be found an original letter of his (No. 1447) to Mr. Hyde, dated from All Souls, November 6, 1640, in which he says,—

'I am sorry matters doe not move hopefully on wth you.

[1] Lord Clarendon's Life, p. 25.

The best service my meannes can contribute is my prayers, w^ch^ I hope will be heard at this distance as well as if I were w^th^ you. If any good successe happen, next under God we are to thank men of your prudence and temper for it. I beseech you present my humble service to my L^d^ Falkland when you see him, and excuse this hast of

'Your most affectionate friend and servant,

'GILBERT SHELDON.'

The position taken up by Hyde and Falkland at this date is sufficiently notorious. They were as yet in the full tide of their resistance to the arbitrary policy of the advisers of the Crown. In the Long Parliament, which had met three days before the date of Sheldon's letter, they were foremost in the impeachment of Strafford. It is to 'men of their prudence and temper next under God' that Sheldon looks for 'good successe.' This then marks his place in the great struggle—along with Hyde and Falkland—against the King, and with the Parliament. With them he would resist violence to the Constitution; with them, as he soon shewed, he would rally to the side of the unhappy monarch when constitutional resistance changed its form, and assumed the colours of the 'Great Rebellion.' Never again was the social paradise of Great Tew to bloom for its old circle of friends. The fire was lit which was to try what sort of metal had been tempered in that literary forge. The crisis had arrived. Hampden had been condemned; the Covenant had been signed; the Scotch had risen; Charles's fourth Parliament had been dissolved; the Long Parliament had commenced its momentous career. How little could any of the three friends have foreseen at the moment of Sheldon's letter what issues were to arise out of the 'prudence and temper' they were each to contribute towards forming the future history of their country!

As we shall now have to consider Oxford no longer as a place of learning, but as a strongly fortified camp, a 'military centre,' with its Colleges devoted to the multifarious

requirements of the chief stronghold of the Royalists, the military balance against the Metropolis, we may conclude this chapter by a notice of the relative position of All Souls to other Colleges as it stood when the gown was relinquished for the sword. The anomalous position it has held in modern times, owing to its having remained a College of Fellows (and four Bible-Clerks), when all its sister institutions have developed more and more as places of education for Undergraduates, makes it difficult to recall the past without an effort. We happen to have some materials for the comparison during the half-century preceding the Civil War.

In the number of its 'Servientes,' or Poor Scholars, which, as we have seen[1], was put down in 1612 as thirty-one, it was only exceeded by Magdalen, Christ Church, and Exeter[2]. But though All Souls, like New College, was even at this time exceptional in not taking Commoners within its walls, it was as full as its space would permit. Of its forty Fellows nearly all were resident, permission of absence being as yet quite the exception; and as vacancies occurred very rapidly, many of these were quite young men. The usual age of entering the University was about sixteen; elections at All Souls took place at latest at twenty or twenty-one. So that the educational functions of the College were at this period a reality. Men entered on their Fellowships either as Undergraduates, or long before they took the superior Degree, and men were far longer than at present undergoing the necessary preparation for Degrees. It was as Fellows of the College that they were trained and chiefly influenced for after life. Professorial teaching was as yet but little developed; and Collegiate tuition was practically superseding the rougher methods of medieval times. This large number of forty Fellows was only exceeded by Christ Church, St. John's, and New College.

[1] p. 115.

[2] Gutch's Collectanea, from Tanner MSS. vol. 338.

In point of income we find, by the assessment of 1592, that All Souls (bracketed with Corpus) was only exceeded by Christ Church, Magdalen, and New College; in the value of its Headship by Christ Church, Magdalen, New College, and Merton[1].

In the calculation of the Twenty-three year Cycle of Proctors made by Turner of Merton and established by Laud in 1629, three Colleges only are to have more turns for that office than All Souls, viz. Christ Church six, Magdalen five, New College four. Three turns are assigned respectively to Merton, All Souls, Exeter, Brasenose, St. John's, and Wadham; two turns to Trinity, Queen's, Oriel, and Corpus; one to University, Balliol, Lincoln, Jesus, and Pembroke[2].

Thus the rank of All Souls among the Colleges and Halls of Oxford seems to be about the fourth; but in numbers, all told, it was not higher than fifteenth.

There is one other test which we must be cautious how we apply. It has been thought to prove that All Souls contributed to the treasury of Charles the First a sum out of all proportion to its means because its name stands second on the list of the Colleges for whose plate a receipt was given by the King's officers in January, 164$\frac{2}{3}$. Magdalen heads the list with 296 lb.; All Souls supplies 253 lb.; Exeter follows with 246 lb., and the rest in smaller sums[3]. But we shall see, when we come to analyse the various contributions from Oxford, that we have no certain knowledge as to the plate sent previously to this particular loan, though there is strong presumption that the Colleges of Oxford only sent money, and not plate. But even if its place in this list afforded a true index of the College wealth and the zeal of its members, it is after all but little more than its comparative position in the University required.

[1] Gutch's Collectanea, from Tanner MSS. vol. 338.

[2] Wood's Annals.

[3] Gutch's Collectanea, from Tanner MSS. vol. 338.

Few things are more curious in Oxford history than the fluctuations in the comparative importance of Colleges. Some have exercised an influence far beyond what their size would lead us to expect, in consequence of the success of some remarkable man or set of men who have brought them into notice, and then after a time some of these have again decayed. Some have too frequently belied the imposing appearance they exhibit. Some of the most ancient have only attained to much importance in quite modern times. In every period there has been some one College which has taken a virtual lead; and this has by no means always been the largest. Perhaps nothing has more tended to stimulate progress than the honourable rivalry which has thus been excited. All Souls cannot fairly be placed as the leader of the Laudian period, but it is certainly in the first rank.

CHAPTER X.

All Souls during the Civil War.

1642 – 1648.

Sheldon as Charles's chief ecclesiastical adviser — Lord Say in Oxford—Insults to All Souls; Alderman Nixon—Oxford as a Fortress and Camp—College plate sent to the Mint—Charles's letter on this, and recommendation of a friend for a Fellowship —Decay of College Estates — Charles's Vow; entrusted to Sheldon and by him buried for thirteen years—Surrender of City—Sheldon's forcible expulsion from All Souls and imprisonment—Prynne.

The rapidity with which the great struggle began to develop itself in London in 1642 was rivalled at Oxford. The University had a very keen presentiment as to the attention which would soon be bestowed upon it, and at the first sound of civil war, August 18, four days before the King set up his standard, its Fellows and Scholars began to drill. Warden Sheldon, like Hyde and Falkland, had some months before this discovered that the time had passed for pressing concessions upon the King. In their belief the nation had already recovered its true Constitutional safeguards. It had now the Control of the Public Money, and the Power of Impeachment,—even Triennial Parliaments. Their opponents being evidently involved in a desperate

attempt to overthrow Church and Crown, the three friends had no choice but to throw themselves into the breach. Their intelligence pierced through all the flimsy disguises which concealed the real issue; and by the spring of 1642 they had become the unhappy monarch's most trusted advisers.

Neal, the historian of the Puritans, attributes the misfortunes and violent death of Charles to those divines whom he took into his counsels during the war, and who would not allow him to make the concessions with respect to the Church which might have saved his life. Of these Sheldon was perhaps on the whole the most prominent. As Chaplain and Clerk of the Closet he attended the King at Oxford; he gave him powerful assistance during the negotiations with the Parliament at Uxbridge; when Charles was a prisoner in the Isle of Wight in 1647 he sent for Sheldon, who with Hammond, Morley, and Sanderson, advised him how far he could in conscience comply with the demands of the Parliament at that time; he was afterwards closely imprisoned at Oxford for fear he should again go to the help of his suffering master, who was now imploring permission for the attendance of his friend. But in truth it was no longer possible that either Church or King could give way. The blame must rest with the statesmen and divines of James's and the earlier part of Charles's reign. It was they who precipitated the conflict with a nation in arms which had too much cause of complaint. It was for the splendid chivalry of the next generation and the stedfast clergy of England to bear the shock as well as they might. It was their glorious privilege, by suffering awhile, to save in the end those noble institutions for the peril of which they were but little, if at all, responsible.

Of the Delegacy of twenty-seven (besides the Vice-Chancellor and Proctors) appointed by the University to provide for the defence of the city of Oxford in the King's

name, All Souls provided three members,—no other College having more than two; a proof perhaps as much of the absence of pressing engagements on the part of the College as of its loyal zeal. To this 'Council of War' is due no small part of the credit of the excellent arrangements which retained the honour of Oxford inviolate during the war.

The first sight of hostile troops was exhibited to the Oxford Royalists after a fashion which insulted their sentiment rather than seriously injured them. The citizens were, as usual, drawn towards the side opposed to that of the University, and Lord Say easily effected a temporary occupation of the place, not yet fortified, with a small body of soldiers in September, 1642. Both the general and his men behaved with singular moderation; but of course some outrages were committed. The statue of the Virgin and Child in the porch of St. Mary's was mutilated, and All Souls suffered the indignity of having 'the image of our Saviour over the gate,' which we have seen had been beautified not long before, fired at by some of the iconoclastic or drunken soldiers of the newly-raised force. Wood tells us that all its sculptured work would have been destroyed if Alderman Nixon, the leading Puritan of the city, had not used his influence to prevent it; and it seems that his intercession was perhaps due to his connection with the College as grocer for the kitchen[1]. As it was this same Alderman who bore the part of chief witness against Laud in the matter of the statue of the Virgin and Child in the porch of St. Mary's Church[2], and the reverence paid to it, All Souls has especial reason to be grateful to his memory for the service he rendered the College on this occasion. His grim picture is to be seen in the Town Hall of Oxford, and the School he munifi-

[1] Wood's Annals, 1646.

[2] Laud's Trial.

cently founded for the Oxford poor still bears his name, though the fabric has been allowed to fall into a sad state of neglect—at last, it seems, about to be remedied.

This temporary occupation of Oxford by Lord Say has furnished Neal with a plausible excuse for attacking the honour of the University Royalists; and in order that we may understand how far he is justified in making the charge, we must attempt to reduce the subject of the Oxford contributions to Charles's wants into some sort of order. Clarendon's confused notices and the meagreness or errors of Wood and Gutch have obscured a very simple matter; and Neal seems to have made a very unjustifiable use of his materials.

The Colleges of Oxford made two, and only two, stated contributions to the royal treasury; the first in answer to the King's letter from York of July 7, 1642, two months before Lord Say's arrival in the city just mentioned; the second, when Charles had been some time in the city after the battle of Edgehill, in answer to his letter of January, 164$\frac{2}{3}$. That to All Souls is dated January 6. The first letter, requiring loans of money at 8 per cent., is given in Wood[1], who tells us that the Convocation of Oxford University, on July 11, sent £860; 'but what each College or private person gave I find not.' That plate was sent from Oxford as well as money is inferred by Wood[2] from the Ordinance sent to the University by the Parliament, on the very day after Convocation had given its money to the King's messenger; but that letter only speaks of the Vice-Chancellor and others '*endeavouring* against law to take away the plate and treasure of the University and Colleges, and to send the same to York.' It is no proof of any plate having been sent by the Colleges. St. John's College, Cambridge, however made its chief contribution in plate, if Neal is correct in stating

[1] Annals, 1642. [2] Ibid.

that it sent 2065 oz. of plate as well as £150 in money. Clarendon puts the sum total sent from the University of Oxford,

'when the troubles first broke out,' at 'above £10,000 out of the several stocks of the Colleges and the purses of particular persons, many whereof sent him all they had[1]'; and in a previous passage[2] he says:—'the messengers returned from the two Universities . . . and brought with them all, or very nearly all, their plate and a considerable sum of money which was sent as a present to His Majesty from several of the Heads of Houses out of their own particular stores, some scholars coming with it, . . . all of which came safe to Nottingham. . . . The plate was presently weighed out and delivered to the several officers.'

The King's letter of thanks is dated from Beverley[3]. It was, as we know, of the greatest assistance to the King at a critical moment; and soon afterwards he found himself able to set up his standard at Nottingham, (as Clarendon tells us),—'in the evening of a very stormy and tempestuous day . . . Melancholy men observed many ill presages about that time . . . No conflux of men appeared in obedience to the Proclamation . . . the standard was blown down the same night it had been set up by a very strong and unruly wind, and could not be fixed again in a day or two till the tempest was allayed.'

Among the 'ill presages observed by melancholy men' there was nothing that could bode ill from Oxford. The safe advent of its treasure was but an instalment of its unceasing exertions in the cause of the King.

Gutch, in his notes to Wood[4], has referred in this place to the list of plate, sent to Charles from different Colleges, and which he had extracted from the Tanner MSS.[5]; but this is wholly misleading, if not a mistake, as the list he gives

[1] Book vi. p. 88.
[2] Ibid. p. 31.
[3] Rushworth's Collections, iv. 759.
[4] Annals, 1642.
[5] Vol. 338. fol. 101 (65 new paging); Gutch's Wood.

has nothing whatever to do with what was sent in July. *We have no evidence of any plate having been sent from any of the Oxford Colleges in that July;* and Dr. Bliss, who took some trouble to enquire into the facts as to the plate retained by different Colleges after the Civil War, has adduced none. In accounting for the non-appearance of the name of St. John's College, Oxford, in the above-mentioned list, he tells us that that College sent £800 'to the King in the first instance;' but it is clear, from his quotation, that it did not send its plate till 'the King sent to demand it a second time[1].'

Neither Christ Church nor University College can well have sent any of their plate, for it was seized by Lord Say, on his occupation of Oxford, a little later in the year, on the ground that it was found by his officers hidden away; and it is not spoken of as only a portion of their plate,—the remainder of what had been already sent.

All Souls certainly did not send its plate, but a sum of money: and one of its Fellows, Mr. Iänson, was of the party which guarded the joint Oxford contribution on its journey to Nottingham. 'He was afterwards,' says Wood, 'made a baronet, but a poor one, God wot[2].' The College order on the subject runs thus:—

'July 11, 1642,—which day and yeare it was agreed by Mr. Warden and the Fellows that upon a letter from his Ma^tie the Colledge should send all their ready money in their Treasury (w^ch is 351^li 7^s 3^d, and that they should also borrow as much as is owing to the said Treasury upon the Colledge bond, w^ch is 300^li (in all 651^li 7^s 3^d), to His Ma^tie's use, receiving an acquittance for the summe by His Ma^tie's direction from Dr. Richard Chaworth, Chancellor of Chichester[3].'

Signed—'MARTIN AYLWORTH.'

[1] Dr. Bliss's edition of Wood's Athenæ, printed for the Ecclesiastical History Society, vol. i. p. 15.

[2] Fasti, i. 277.

[3] This 'acquittance' from Dr. Chaworth was certainly extant in

And, speaking generally, we may infer that at this time plate was not sent by Oxford Colleges; for Lord Say spared the plate of all but Christ Church and University College, 'upon condition it should be forthcoming at the Parliament's appointment, and not in the least employed against them.' And in Charles's letter of thanks to Oxford University written from Beverley, July 18, 1642,—to which Neal refers,—he does not mention plate, but only money, which he says shall be 'employed only upon the defence of Ourself and the true Protestant Religion, and the laws established in this realm[1].'

The plate mentioned by Clarendon must therefore, it seems, have come either from Cambridge (which perhaps foresaw this would be its last chance, and indeed Cromwell completely stopped that University from sending its contributions to Oxford in the following January), or from Heads of Houses and other Oxford men as private persons. It is certain that the expression 'all or very nearly all their plate' cannot apply to Oxford Colleges in their corporate capacity. They did not yet perceive, two months before the standard was set up at Nottingham, that the time had come when they must sacrifice their all for Church and King. Their surplus money, or money raised on loan, was one thing; their College property, which could not be lawfully alienated, was another.

And this brings us to the charge against the honour of Oxford made with so much righteous indignation by Neal. When Charles demanded in January 164$\frac{2}{3}$ the plate which Lord Say had spared in the previous September, the Colleges, contrary to their alleged promise, freely gave it him. This is what remains of the complaint when we come to analyse

recent times (MS. *penes custodem*, Coll. Estates F. P.); and the sum figures as late as 1666 under the head *In obligationibus*, since it is at that date mentioned in a letter of Warden Jeames to Archbishop Sheldon as 'lent to the King before the warres when my Lord's Grace was Warden.' (Sheldon Papers, Bodl. Lib.)

[1] Rushworth, iv. 759.

the series of misstatements made by the writer. The passage runs thus:—

'The several Colleges sent His Majesty their plate; the two houses at Westminster being informed of these proceedings, published an ordinance declaring this act of the University "a breach of trust and an alienation of the public money contrary to the intent of the pious donors, and therefore not to be justified by the laws of God nor man;" that it was also contrary to their engagements, for the University being yet in the hands of the Parliament, the Lord Say and his deputy lieutenants had been with the several masters and heads of houses and obtained a solemn promise from each of them that their plate should be forthcoming and should not be made use of by them against the Parliament; and yet contrary to their engagement they sent it away privately to York, where it arrived July 18, as appeared by His Majesty's most gracious letter of thanks.'

The only references are to 'Clarendon, vol. ii. p. 88, and Rushworth, p. 759,'—to which we have already referred.

Now there is only one 'ordinance of the two houses at Westminster' on this subject[1], the Ordinance of July 12, 1642, already mentioned. This says no word about 'the engagements' and 'solemn promise' to Lord Say,—for the very good reason that the said lord's visit had not yet taken place! It was a visit made two months after Convocation had sent its money to the King, but when, as it seems, no College plate was sent. The charge then is simply a set of blunders. Even the words of the 'ordinance' given as a quotation are not in the ordinance at all, but an abstract in Neal's own language!

There is no complaint then, except in Neal's imagination, against the University or Colleges for sending money in July 1642. Plate and money were coming in for the Parliament; these bodies had a right to send money to the King. The only charge that can be made against them is that, though

[1] Journal of House of Lords, Journal of House of Commons, Wood, Rushworth.

certain conditions were made with Lord Say in September 1642 (of which we have no details), against their sending their plate to the King, yet they did give it him on his demand in January 164§.

This is the true gravamen. But here the mistake lies in treating the College authorities as free agents when Charles demanded their plate. They have often received a commendation for this which they little deserve. It is a military question, a question of State, not a question of choice and honour. If Lord Say could have foreseen in September that Oxford would become the Royal head-quarters he would doubtless have carried off all the plate he could lay hands on; and from a military point of view he would have been perfectly right; but we must remember that he may have had excellent reasons for not as yet proceeding to extremities. His occupation of Oxford was precarious, and in reality fugitive[1]. Affairs had not yet reached the point when confiscation of the property of corporations on any such extensive scale, or even forced loans, such as he might have levied had he possessed more sagacity or more time, would have approved themselves to those with whom the Parliament was still acting. He did the best he could under the circumstances. But when Charles was established in Oxford after a sanguinary battle, a general in his camp, a King in the midst of his Court, neither could he be expected to refrain from issuing a request for a loan which is undistinguishable from a command, nor could the Colleges be expected to resist such a command from their lawful sovereign. This was their plea, and it must be allowed.

The letter sent by Charles the First to All Souls is as follows:—

'Charles R.

'Trusty and wellbeloved, we grete you well. We are soo well satisfied with your readynesse and affection to our

[1] Wood's Annals.

service that we cannot doubt but you will take all occasions to express the same. And as we are ready to sell or engage any of our land, soo we have melted down our plate for the payment of our army raysed for our defence and the preservation of the kingdome. And having receyved severall quantityes of plate from diverse of our loving subjects, wee have removed our Mint hither to our City of Oxford for the coyning thereof, and we do hereby desire that you will lend unto us all such Plate of what kynde soever w^ch^ belongs to y^r^ College, promising you to see the same justly repayd unto you after the rate of 5^s^ the ounce for white and 5^s^ 6^d^ for guilt plate as soon as God shall enable us; for assure yourselves we shall never lett persons for whom we have so greate a care to suffer for their affection to us, but shall take speciall order for the repayment of what you have already lent to us, according to our promise, and allsoo of this you now lend in plate, well knowing it to be the goods of your Colledge that you ought not to alien, though no man will doubt but in such a case you may lawfully lend to assist your King in such visible necessity. And we have entrusted our trusty and wellbeloved S^r^ W^m^ Parkhurst K^t^ and Tho^s^ Bushell, Esq., officers of our Mint, or either of them, to receive the same Plate from you, who upon weighing thereof shall give you a receipt under their or one of their hands for the same. And we assure ourselfe of your very greate willingnesse to gratify us herein, since besides the more publique considerations you cannot but knowe how much yo^r^selves are concerned in our sufferings. And we shall remember this particular service to your advantage. Given at our Court at Oxford this 6th day of January, 1642.'

Addressed—'Warden and Fellowes of All Soules Colledge.'

This letter of itself proves that no plate had yet been sent from All Souls, and it would seem that the letters sent to all other Colleges were similar [1].

It must be admitted that there is no appearance of any compunction, not even of any sentiment, in the following brief notice of the course pursued by the College, as it appears in the Acta:—

'Jan. 12, 1642,—which day and yeare it was agreed by

[1] Wood's Annals, Jan. 10, 164$\frac{2}{3}$.

Mr. Warden and the Fellows that upon the letter received from the King's Ma^tie^ the Colledge should send their plate to be employed for His Ma^tie's^ use according to the tenor of the said letter.'

But it will require no stretch of imagination to conceive the feelings with which the inventory was taken for the last time, and the treasures of art, chiefly the gift of members of the College, which had been collecting for two centuries, sent off to the melting-pot. This time the 'treasury in the tower' was clean swept. Of all the 'faire basons,' 'faire flagons,' 'faire goblets,' and 'faire salts double guilt,' the 'cupp double guilt with a cover which hath a piece of St. Michael upon it, given by Warden Keyes (1442), and the neste of twelve boles silver, the first having a foote and a gilliflower in the bottom,'—and many other equally precious and no doubt beautiful things,—of these not one has survived the sacrifice of January 19, 164$\frac{2}{3}$. In almost every other College some articles of value were retained among the general wreck, and concealed till the Restoration; but at All Souls some half dozen fragments, the very purpose of which can hardly now be guessed, alone represent the ancient part of that property of which two Fellows are still annually appointed, according to ancient usage, *Custodes Jocalium*. Amongst them are the 'silver rodd' excepted by the Lords High Commissioners in their destruction of 'monuments of superstition,' and some 'mazers' of no value except to antiquarians. It is fortunate that 'The Founder's Salt,' a well-known remarkable and very valuable work of the fifteenth century, was not then in the possession of the College. It was a generous gift, in the last century, from a collateral descendant of the Founder.

One point remains to be noticed about this loan of 253 lb. of plate from All Souls. The weight is nearly double that noted in the inventory taken in July, 1642, which was much

the same as it had been in former years. At that date, an inspection having been made just after the money loan was granted, the total weight of the College plate amounts only to 1590 oz., or 132 lb. 6 oz. The difference between this total and the 253 lb., for which there is a receipt still extant [1], signed on Jan. 19, 164⅗, by Parkhurst and Bushell, must have been contributed by the Warden and Fellows out of their private stocks of plate. Without counting any further gifts of money, which no doubt they made at the same time, this contribution of plate represented about £800, in addition to the sum of £651 sent in July,.or a total at both times of something like £10,000 of our currency; and this from one College! How great an assistance must the whole contribution have been in the absence of those general compulsory assessments of town and country which supplied the coffers of the Parliament! Lord Clarendon, no doubt truly, tells us that 'the King now found himself in good ease at Oxford,' and 'in a short time his army was recruited' after the battle of Edgehill. 'Several Colleges,' he says, 'presented His Majesty with all the money they had in their treasuries, which amounted to a good sum [2];' and this must also be the 'new present' he mentions in p. 88; for no one could give more than 'all their money.' Both passages refer to the contribution of January 164⅗.

As to other Colleges and Halls, Wood tells us they 'all sent [their plate] except New Inn, [where the Mint was established]; and soon after most householders and private persons.' It was a general movement. The Colleges omitted in the list given from the Tanner MSS.[3], some of which were strongholds of the Royalists, have dropped out by accident, probably because they did not send in their plate on the same day as the rest; but the sums are otherwise accurate, if that set down to All Souls may be taken as a

[1] Archives.

[2] Book vi. p. 70.

[3] An abstract of the plate presented to the King's Majesty by

test. Wadham is known to have contributed 123 lb. 5 oz. and 15 dwt. of plate[1]. Christ Church and University had been already mulcted by Lord Say, so the sums sent from thence must have been from private members of those Houses.

The King's letter on the subject of College plate is not the only one received from him at this time by All Souls. Charles the First was not above issuing a Mandamus for the election to a Fellowship of one who begged his patronage. In the early part of his reign he had issued several; and some were obeyed, but not all. The tone of the letter he now sent is far less imperious than that of his father, or than those of either of his two sons. It will be observed that he inserts the proviso, if he be 'found fit;' and it must be noticed that the war is at its height; he is reduced to extremities; and the vacancy is made by one 'slain in our service.' The letter is as follows:—

the several Colleges of Oxford and the gentry of the County, the 20th of January, 1642:—

	lb.	oz.	d.
1. The Cathedral Church of Christ .	172	3	14
2. Jesus Coll.	86	11	5
3. Oriel Coll.	82	0	19
4. Queen's Coll.	193	3	1
5. Lincoln Coll.	47	2	5
6. University Coll.	61	6	5
7. Brazen Nose Coll. . . .	121	2	15
8. St. Mary Magdalen Coll. . .	296	6	15
9. All Souls Coll.	253	1	19
10. Baliol Coll.	41	4	0
11. Merton Coll.	79	11	10
12. Trinity Coll.	174	7	10

Then follows a list of six gentry and clergy whose joint contributions amount to nearly half the aggregate of the above Colleges.

[1] Dr. Bliss's edition of Wood's Athenæ, printed for the Ecclesiastical History Society, vol. i. p. 14.

'Charles R.

'Trusty and wellbeloved, Wee greete you well. By former letters [date unknown] We recommended unto you Thomas Standard to be elected Fellow of yo^{r} Colledge in the place of M^{r} S^{t} Johns slain in our service. Wee be since informed that there be two other Fellowships in yo^{r} said Colledge voide and that you are to hold an election speedily. Therefore, at the very earnest request of the said Standard's friends Wee have been graciously pleased to reiterate our Recomẽndation on his behalfe, to the end that being found a fit competitor he may receave the benefit of Our favour at yo^{r} said election. W^{ch} Wee shall very well accept. And soe we bid you farewell.

'Given at our Court at Oxford the 2nd day of November, in y^{e} Nineteenth yeare of our Reigne, 1643.

'By His Ma$^{t's}$ Command, EDW. NICHOLAS.

'Warden and Fellowes of All Soules, Oxford.'[1]

Standard, however, did not become a Fellow. We know not the reason. Perhaps, being dated on All Souls' Day, the Mandate did not arrive till the election was over. Perhaps he was not 'found a fit competitor.' But if so, it says something for the spirit of the College that it should thus on a point of duty slight the will of a Sovereign residing within a few yards of them, for whom they had just given their property, and many of them the venture of their lives in the open field. Perhaps Sheldon, whose influence was now very great, interposed, as he did against Laud. It was under Astley that the College had given way earlier in Charles's days. But soon after the Restoration we find a certain Henry Standard is elected a Fellow; was this a relative of Thomas? Was it in his favour that a vicarious satisfaction is made for any want of loyalty to the martyred King which the College may, at that moment of exuberant zeal, have accused itself of shewing in past times?

The College book of *Acta in Capitulis* betrays the disorder

[1] Archives.

into which its estates were falling in consequence of the war, and the efforts which the Warden and resident Fellows were making to do all that was still left in their power for the cause they held sacred. We may quote as examples the following extracts:—

'June 1, 1643; which day and yeare it was agred by Mr Warden and the Fellows upon a letter directed unto us from His Matie, that our Colledge should undergoe ye charge of maintaining 102 souldiours for the space of a month after the rate of 4s a week to each souldiour.'

In the same year the tenants of the College were £600 behindhand in their rents; and, as this brought matters to a point, we find in 1644 the following entry:—

'It was unanimously agreed by Mr Warden and the Fellows that by reason we could neyther receive money from our tenants nor borrow money to provide necessaries, and because of the troublesomnes and danger of these times and this place, the Warden, Fellows, Probationers, Chapleyns and servants of the College abiding within the Kingdom should be co-ex-co' [the College phrase for receiving allowance for commons without being present] 'from April 26 to Michaelmas, and have liberty to be absent from the Colledge as their occasions and the exigencie of the times require.'

This permission is periodically renewed during the war. The College next agrees to pay '25s a week for 5 weeks towards the Bulwarks.' In 1645 it pays £15 for 'necessaries against the siege;' but the money was restored,—not however permanently, as the following somewhat querulous passage indicates. The £15 was 'restored to the College by reason the siege was plainly raised before the money was employed, but presently thereupon the Lords demanded the sum of £15 (we know not for what use), and 'twas delivered unto them.' The 'Lords' had by this time become sufficiently unpopular in Oxford. The King was one thing; his Court was another. Wood indignantly remarks that the city was only ordered to be surrendered, when it might well have stood out, in order to save the great people shut up in it. The loss of £15 was

now of consequence to the College. The poor of the city had a claim which was allowed more readily. On September 24, 1646, we find the College resolving 'that there should be only one meal a day between this and next Christmas, and so longer if we shall see occasion,' and the Sub-Warden and Bursars are granted power to disburse College money to the poor upon occasion 'to the amount of 5^{s} at a time.'

A sum of money had previously been divided between such of the Fellows and servants as 'endured the siege.' They were living, as all other Royalists were at this moment, 'from hand to mouth,' but the numbers actually in College were probably few. Lectures and exercises had for the most part ceased, the Schools being employed as granaries for the garrison. Nearly all the members of the University capable of taking arms were serving the King either in or out of Oxford, 'having exchanged the gown for the military coat, the square cap for the helmet.' Wood[1] gives as instances the case of Christ Church, where twenty out of the hundred Students (or Fellows), and Pembroke, of which College fifty members altogether, were regular officers in the Royal army[2]. 'Whenever Charles was called out of Oxford he held himself bound to summon a council of the University troops, and entrusted to their peculiar care the whole command and the dearest pledges he left behind[3].' There were two exceptions to this almost universal loyalty to the Sovereign. Magdalen Hall and New Inn Hall consistently remained throughout the strongholds of Puritanism and disaffection to Charles. Their turn of prosperity was now to come. The surrender of the city took place on June 24, 1646, on condition that the University should be free from 'sequestrations, fines, taxes, and all other molestations whatever . . . . provided that this

[1] Annals, 1644.

[2] 'If Pemb. Coll., which is the least Coll. in Oxon., did yield so many officers to serve his Majesty, what did then the other Colleges do?' Ibid. 1646. Gutch's note from Wood's MS. [3] Ibid.

shall not extend to retard any reformation there intended by the Parliament, or give them any liberty to intermeddle in the government[1].' One can scarcely wonder at the insertion of this proviso, or that it should have been acted upon. Wood tells us what might well be guessed, that at this time 'there was scarce the face of an University left, all things being out of order and disturbed.' The surviving Royalists described the change after the blunt fashion of those days,—'Hell was broke loose upon them.'

But before we notice the condition of Oxford after its surrender, we must describe a remarkable event which took place within its walls two months previously. Of the four All Souls men who, as we have seen, had become Chaplains to Charles the First, Sheldon was the one who most enjoyed his confidence. Duppa remained at his post as Bishop of Salisbury till the Parliament suppressed Episcopacy, then joined his Sovereign, attended Prince Charles, whose religious training was committed to him by Charles the First, and was with the King in the Isle of Wight during a portion of his imprisonment. 'The distressed King used to say that his confinement was much relieved by the good Bishop's conversation[3],' and he is said by Walker[4] to have assisted in the composition of two chapters of the Eikon Basilike. Steward, who was Dean of Chester, Dean of St. Paul's, and Dean of Westminster successively, Provost of Eton, and Chaplain and Clerk of the Closet to Charles the First, was also a Commissioner for ecclesiastical affairs at the Treaty of Uxbridge. We find him sent with a message of gratitude from the King to the University for its services[5]. He alone of the

[1] Annals, 1646; and Rushworth's Collections, vi. 283.

[2] Annals, 1646.

[3] Biographia Britannica, note from Dart's History of the Church of Westminster.

[4] True Account of the Author of Eikon Basilike.

[5] Wood's Annals, 1642.

four did not live to see the Restoration,—dying in 1652. Jeremy Taylor had only remained a Fellow of All Souls for three or four years, during which time Wood tells us that 'he gained much of his learning' there. In 1639 or 1640 he married; but, when the war broke out, returned to Oxford, and preached much before the King and Court, living probably in his old College. He soon, however, undertook the more active labours of a Chaplain to the Royal forces, and underwent many hardships and vicissitudes in that capacity. But Sheldon, as principal coadjutor in Oxford to the brave Dr. Samuel Fell, Dean of Christ Church and Vice-Chancellor of the University, was no doubt, judging by Charles's subsequent reliance upon him, and by the remarkable transaction we are now about to relate, his chief adviser and friend.

The Vow made by Charles the First shortly before he bade his last farewell to Oxford, and which he entrusted to Sheldon for preservation, has strangely enough been lost to history. It is not to be found, as far as the present writer is aware, in any History of England written during the last 150 years. His attention was drawn to it by the mention of certain 'buried papers' in a MS. letter of Bishop Duppa's (of 1660) which he found in the Bodleian Library. A reference to Le Neve's Lives of the Bishops supplied the clue. This book, written in the early part of the eighteenth century, gave in full the paper which follows as having been just then published for the first time in the Appendix to Echard's History of England; and in the Clarendon State Papers[1] the authentic copy quoted by Echard is still to be seen. The existence of the Vow was found afterwards to be mentioned in the Biographical Dictionary in the notice of Sheldon. Perhaps, if not wholly forgotten, it has been thought an unimportant fact. And yet we shall see that there is a very great probability that the disclosure of this paper to Charles the Second had a considerable effect on his course

[1] 2176 Bodl. Lib.

of conduct at one of the most critical periods of our national life. And certainly it throws light on the character and conduct of one over whose memory the battle of eager combatants has by no means even yet ceased to rage. Charles the First is by no means a faultless prince. There are transactions of which we can only say that a high-minded man seems to have been misled by the mischievous casuistry of the times; but if one who preferred to run any risk rather than sacrifice his Church—and with all deductions it comes to that at last—deserves the name of a martyr, that sacred name ought scarcely to be denied him, as it so often is by modern writers; nor will the impression of his just right to the title be weakened by discovering that he had bound himself in the most solemn manner before a competent witness to perform, if he survived, an act of justice to the Church which no one else, it need hardly be said, has shewn any signs of even meditating.

THE VOW.

'I doe here promise and solemnly vow, in the presence and for the service of Almighty God, that if it shall please his Divine Ma^tie of his infinite goodness to restore me to my just kingly rights, and to re-establish mee in my throne, I will wholly give back to his Church all those Impropriations wh^ch are now held by the Crowne; and what lands soever I now doe or should enjoy which have been taken away either from any Episcopall See or any Cathedrall or Collegiate Church, from any Abbey or other Religious House. I likewise promise for hereafter to hold them from the Church under such reasonable Fines and Rents as shall be set downe by some conscientious persons, whome I promise to choose w^th all uprightnes of Heart to direct me in this particular. And I most humbly beseech God to accept of this my Vow, and to blesse me in the designes I have now in hand, through Jesus Christ our Lord. Amen.

'Oxford, the 13^th Aprill, 1646. CHARLES R.'

'This is a true copye of the King's Vow wch was preserved thirteene yeares under ground by mee.

'Aug. 21st, 1660. 'GILBERT SHELDON.'

We must defer any notice of the consequences of this discovery of the Vow till we come to speak of the Restoration, as also the letter of Bishop Duppa's which gives such significant interest to it. It will be enough here to remark that the Vow is dated just a fortnight before Charles, 'early in the morning went out of Oxford, attended only by John Ashburnham and a Divine (one Hudson) who understood the by-ways as well as the common, and was indeed a very skilful guide[1],' on his fatal journey to join the Scottish army. It requires no stretch of imagination to bring the picture of the unhappy monarch before us, almost hunted to the death, as he penned that Vow. Three weeks after its date he was a prisoner in the Scottish camp, within the toils from which he was not to escape!

All Souls now becomes the College where, alternately with Christ Church, the meetings took place of the Delegates who were appointed by the University to assist Dr. Fell in resisting or evading submission to the victorious Parliament[2]. Sheldon is of course one of these Delegates, along with three of his Fellows,—Christ Church alone having an equally large representation; but he is now frequently absent on the King's affairs. On November 21st of this year (1646) he obtains from his College 'ten months' cause of absence, either within any of the King's dominions or abroad in any forraign country according to his own will and pleasure[3].' And several letters will be found in the Clarendon State Papers addressed to him by Hyde, and proving how deeply he was concerned in the politics of the year 1647.

[1] Clarendon's History of the Rebellion, vol. iii. p. 22.

[2] Wood's Annals.

[3] Acta in capitulis.

The time was now approaching when the good faith of the victors and the courage of the vanquished was to be put to the test. After vainly endeavouring to preach the University into submission, the Parliament determined to hold a Visitation, and to insist on the 'reformation' of the University. The University answered by a shout of defiance; and for a time the Vice-Chancellor and his friends were more than a match for the Visitors, the Parliament being unwilling, in view of the conditions of surrender, to proceed to force. Dr. Fell was, however, soon sent prisoner to London, and several Heads of Houses were ordered to be deprived; but still with no effect. The University persisted in refusing to obey anything short of force. Their Sovereign was a prisoner, and they waited for his commands.

Parliament had now gone too far to recede, and resolved that the condition of 'no molestation' was cancelled by the proviso inserted in the Treaty. At the beginning of April, 1648, the Earl of Pembroke and Montgomery, the Parliamentary Chancellor, was brought on the stage with a strong guard of soldiers. This was the younger brother of the good Earl of Pembroke, Chancellor of the University in happier times, when the Bodleian and the Schools were erected, and the College which bears his name was founded by King James with his assistance. Of the present Earl, Hallam speaks as 'the basest among the base,' famed for his 'proverbial meanness and stupidity[1].' Sheldon had been with the King at Carisbrooke when the Visitors began their operations, but was at his post when the final measures were adopted. But just returned, fresh from the side of his doomed master, it was not likely that he should flinch from the struggle—all the more incumbent on him as Fell was already carried off. He is summoned before the Visitors and asked—'Do you acknowledge our authority?' He replied, 'I

[1] Constitutional History, ii. 235.

cannot yet satisfy myself that I ought to submit to this Visitation.' He was not kept long in suspense. On April 12th an order was made out to the following effect:—

'The souldiers of this garrison are desired by strength to remove the family of Dr. Fell and all other Heads of Houses and Prebendaries of X^t^ Church, together with all their ffamilies that are ordered by authority of Parliament to remove from their respective places[1].'

The notice of ejectment was now affixed to the door of his lodgings in College, and on April 13 the Chancellor and his troops proceeded to act. One little difficulty gave great annoyance to the Chancellor and Visitors. The bedells had concealed the famous University staves, and no power on earth could induce them to give any clue to the hiding-place. They were not in fact found for two years afterwards[2]. What was a Chancellor or Vice-Chancellor without his gold and silver staves carried in time-honoured pomp before him? For that matter, what is he now? For the nonce, however, the soldiers had to do duty instead of bedells, halberds instead of staves. In the forenoon Mrs. Fell had to experience the rough hand of these academical reformers. She was carried out of Christ Church on a chair by soldiers and set down in the middle of the great quadrangle, not yet dignified by the familiar name derived from the big Osney bell. What followed in the afternoon must be transcribed from Wood's Annals:—

'April 13, 1648. In the afternoon they go to All Souls College, and finding none of the Fellows in the Hall there, were much troubled. At length they send for Dr. Sheldon the Warden (there walking in his garden), who appearing before them, did with great moderation of mind ask them by what authority they summoned him? Upon which the

[1] MS. e Musæo 77; or Visitors' Register.
[2] Wood's Annals, 1648.

authority was shewn, and read. Dr. Sheldon told them that it concerned not him at all, for it was dated March the 8th, and gave the Chancellor and Visitors power to give possession to those which were then voted into the places of such that had been removed by them. Also that he was not so much as there questioned, nor voted out of his place till March 30th, etc. This puzzled the Chancellor and Visitors very much, nor was there any answer for the present given. At length the Chancellor asks Mr. Prynne, who stood by him, what he could say to the matter; Mr. Prynne answers nothing; whereupon the Doctor leaves them, and goes into his garden again, into which he could enter without going through his lodgings. They consult almost an hour, and Mr. Prynne confessed that they had no power by their commission to do it, but the Parliament must not be baffled, and that they might do many things *ex officio* agreeable to the mind of the Parliament, though not in their commission. Well—to it again they go, send for the buttery book, dash out Dr. Sheldon's name, and enter that of Dr. Palmer in its place. Which done, they send to Dr. Sheldon to deliver up the keys of his lodgings; he refuses; they break them open, and give Dr. Palmer possession, with an order (directed to the Provost Marshall of the garrison of Oxford or his deputy) for Dr. Sheldon's commitment to prison for refusing to submit to the authority of the Visitors, or as they worded it, for his contempt. The Doctor read it, and finding therein base and aggravative language against him, desired the Chancellor to read it, telling him that his lordship was pleased two or three times to say that his answer and carriage was very civil, and desired to know whether that language was fit to be given to one that had so demeaned himself. The Chancellor said, "they were hard words;" and when 'twas told him that the lawyers drew it (Prynne and Cheynell were the men) the Chancellor answered—"Whosoever drew it, it had very hard language in it." In the carriage and debate

of the business the Chancellor asked the Doctor pardon, three or four times, and told him openly that "what he had done in breaking open doors, he knew not, let the lawyers look to that." Dr. Sheldon was sent forthwith to James Chesterman's house against the Cross Inn, with a guard of musqueteers followed by a great company of scholars, and blessed by the people as he passed the streets, and there was kept in safe custody till further pleasure.'

Wood has not given us the document drawn up by the famous Prynne in such a hurry, and at which Sheldon was, or pretended to be, so offended; for we cannot but suspect he a little enjoyed the perplexity of his persecutors. On the other hand, it must have called up all his fortitude to find himself confronted with the notorious lawyer, the barbarous 'cropping' of whose ears by Laud and the High Commission Court had done almost as much to bring on the Civil War as the trial of Hampden. Nor can we refuse to speculate on the effect which the scene may have produced on Prynne himself, the relentless foe of Church and King, who before long was to find himself equally offended by the tyranny of the Sects. It should never be forgotten that to his laborious search of English records for proofs of the Constitutional privileges he had learnt to value, we owe the commencement of the great work which is only at this day approaching completion under the hands of Sir Thomas Hardy, Professor Brewer, and their compeers. We extract the paper from the interesting MS. in the Bodleian[1] from which Wood drew his materials, and which in the next chapter will be our chief

[1] The Register of the Parliamentary Visitors (known by the name MS. e Musæo 77), p. 15. Its title in full is,—'The Acts of the Visitation of Oxford Universitie; by Commissioners authorized by y^e^ Long Parliament. Drawn up by Mr. Aubyn, Registrar.' Surely it ought to be published. It will be quoted here as 'Vis. Reg.'

guide. The historian of the University was not bound to register the details which only affected All Souls, and so has left something behind for humbler gleaners.

'An order for commitment of Dr. Sheldon for refusing to submitt to the authority of the Visitors of the Universitie of Oxon.

'Whereas Dr. Gilbert Sheldon, late Warden of All Souls Coll. in the University of Oxford, being several tymes summoned to appeare before us appoynted Visitors of the said Universitie by several Ordinances of Parliament and a Commission under the Great Seale of England, hath contemptuously refused to submitt to the authority conferred upon us by the said Ordinances and Commission, and obstinately denyed to deliver up the Statutes and Register Book as also the Warden's Lodgings of the said College, according to the contents of an order of the Committee of Lords and Commons for regulating the said University, being dated the 30th of March last, for the establishing of Mr. Jo. Palmer, Bach. of Physicke, Warden of the said College, to enjoy and have all the power, rights, emoluments, roomes, and lodgings, by any Statute, Custome or Right belonging to the Warden thereof: These are therefore to will and require you by vertue of the said Ordinances and Commission to take into yor custodie the bodie of the said Dr. Gilbert Sheldon for his said contempt, and him saffely to keepe till hee shall be delivered by order of law. Whereof you are not to faile as you shall answere the contrary, and for yor soe doing this shall be yor Warrant.'

Is it an indication of the haste with which Prynne drew up the warrant that Palmer, described as Bachelor of Physic, had been admitted to the degree of Doctor that very morning; or had some formalities not been completed? On April 21st the Report of the above proceedings was read in the House of Lords. It contains these words:—'Dr. Sheldon, the former Warden of All Souls, was committed for his contemptuous carriage[1].'

[1] Journal of the House of Lords, vol. x. p. 216.

CHAPTER XI.

All Souls during the Commonwealth

1648–1660.

Palmer, the Pseudo-Custos — Submissions of the Fellows and servants—Oxford Colleges compared on this point—Sydenham, the physician—Sheldon's life at this time; original letter of Jeremy Taylor's to him—The Puritan Visitors—Their quarrels with the new Fellows, and with the Parliamentary Committee —All Souls allowed to elect Fellows in 1653—Sir Christopher Wren—College reported to Cromwell for corrupt elections— His reply—Collapse of the Visitors—Death of Pseudo-Custos.

The event with which the last chapter concluded is thus described in the College Records at the Restoration: — '1648; Pulso per vim Doctore Sheldon, Joannes Palmer, Med. Dr. a Parliamento Pseudo-Custos constituitur.' This was technically correct as to the title of Palmer—or Vaux, for he has an alias;—he was neither a member of the College, nor elected by the Fellows, nor approved by a lawful Visitor; nor did he take any oath to govern by the College Statutes. Leaving then the true Warden in the prison to which we have seen him condemned, let us watch the history of All Souls under the 'Pseudo-Custos.' The title of 'Med. Doctor' held by this functionary hangs by as feeble a thread as that of his Wardenship. He obtained his Degree when none of

his Faculty were present, and by the mere will of the Chancellor and Visitors. But he appears to have been a man of some merit, and the circumstances of his appointment are only a usual feature in the violence of the times. He shared the political opinions of Taunton, his native town (where his father was an apothecary), was a member of the Rump Parliament, and a personal friend of Cromwell's. Hence the honour or dishonour, as different people may regard it, done to All Souls by Cromwell's taking up his quarters in the Warden's lodgings during Palmer's absence in Parliament, when 'the General' and Fairfax visited Oxford in 1649. On that occasion 'Colonel' Zanchy was his host, he having been intruded on the College as Senior Fellow of the new Parliamentary batch, and created Proctor to carry out the Visitors' reforms. In this latter capacity the Colonel-Proctor presented the two victorious chiefs for the Degree of Doctor in Civil Law. Neal tells us[1] that Palmer was a learned man,—on what authority does not appear; but he had been a Fellow of Queen's, and we shall see that he was at least a man of ability and moderation. All Souls might have been worse off.

Shortly after their Warden's expulsion the Fellows of the College were summoned before the Visitors at their head-quarters in Merton College, 'to answer to such questions as shall be propounded to you.' Their answers are to be found, along with numerous others, in the Visitors' Register, and afford a fair specimen of the painful ingenuity with which the art of composing evasive answers had been studied. Out of the mass of those given in scarcely two are alike; the efforts to escape from the consequences of direct disobedience, and yet to satisfy the conscience of the respondent, being as varied as the composition of the human mind. No doubt this variety also represents the different shades of opinion regarding the fundamental constitution of legal authority, a delicate

[1] ii. 320.

question with which we have not troubled ourselves much in modern times, but which, before the Revolution of 1688, and for some time after, was a matter of life and death. Let us hope then that we shall escape the charge of tediousness if we give the answers of the ten Fellows of All Souls who remained in the College to bear the brunt of the first attack. It seems they were asked whether they would submit to the authority of Parliament in the Visitation.

'Dr. Aylworth, Fellow of All Souls Coll., cannot upon the sudden give soe certaine an answer as happily may be expected, and as I could wish, to the question at this time proposed unto mee, but shall doe my best endeavor by advisinge with learned friends to give such satisfaction as that I will by no means appeare guilty of denyinge obedience where I shall learne it may be performed *salva conscientia*.'

Henry Barker—'I answere: if by this noe more be ment but whether I submitt to this Visitation I referre you as a Master of Arts to the answere of the Universitie given in by the Delegates; as ffellow of All Soules to the answere of the Colledge delivered before Christmas: if anything more be in the question I conceive I am not bound to answere to it till I have submitted to this Visitation.'

John Middleton—'My answere to this question is that for what concernes the Universitie I refer to the answere of the Universitie, and for what concerns the house to the answere of the house.'

Thomas Dayrell—'To this question whether I will submitt to the authoritie of Parliament in this Visitation I give this answere: that I am not satisfied concerning the meaninge of the question; but if the meaninge be to submitt to this Visitation I doe referre to the answeres given in the name of the Universitie and the Colledge.'

George Stradling—(This answer is almost identical with that of Middleton.)

Hugh Boham—'To this question, whether or not you will submitt to the authoritie of Parliament in this Visitation, I cannot in common prudence give an answere to a question before I understand the terms wherein it is proposed, and of this I professe I doe not.'

John Prestwich—'To this question whether you submitt

to the authoritie of Parliament in this present Visitation, my answere is I doe: but with this limitation, noe further than I may with a saffe conscience: my hart shall not reproach me soe long as I live.'

Thomas Smith—'My answere to this question is the same with those severall answers formerly given in the names of the Universitie and the Colledge.'

L. Smith—'I ever thought the High Court of Parliament the supream power of England, and shall always submitt to that power and authoritie soe far as I lawfully may.'

Henry Birkhead—'I doe submitt to the authoritie of Parliament in the Visitation[1].'

The Visitors had long found out what was meant by answers of this sort. With unsparing severity, perfectly justifiable from their point of view (when they had once proceeded so far), they accepted one only of the respondents,—the last. Three were expelled, and two 'removed from their places;' but five seem to have made their peace at a later date. One of these last we find, as we might expect from the roundabout style of his reply, was Martin Aylworth, who was the chief man of business of the College from soon after the date of his election, in 1611, to 1657, when his signatures to leases and other official papers cease. He was already an elderly man, and to tear himself away from the walls where he had spent his life must have been, even had he not discovered 'learned friends' to give him good advice, a harder matter than in ordinary cases. Birkhead's submission becomes intelligible when we remember that he had gone through such violent fluctuations that one more change could not have seemed extraordinary. He had been perverted from the English Church by the Jesuits, and reclaimed by Laud, who procured him his Fellowship at All Souls[2]. After the Restoration he becomes known by the publication of Latin verses, and deserves the gratitude of posterity for founding the Professorship of Poetry at Oxford. The places of those

[1] Vis. Reg. p. 26.

[2] Wood's Annals, an. 1641.

expelled at this time and afterwards were filled up by the Visitors, in some cases no doubt, as Wood says, 'from among the candidates who came trooping in from Cambridge, and by poor curates and schoolmasters from the country, of whom some had been married and had buried their wives;' but, from whatever source, many were men of merit. Before however we notice these substituted Fellows, let us pay our tribute of honest admiration to a humbler class of persons at All Souls who were not to be found among the trucklers.

Five of the College servants were summoned like their masters before the Visitors. Their names are Harding, William Griffin the cook, Gibs the under-cook, Davis the under-butler, and Thomas Griffin the page. Their answer ran thus:—

'Wee whose names are underwritten, being desirouse not to be misunderstood in a matter wee understand not, shall submitt to the authoritie of Parliament in this Visitation soe far forth as our former oathes will permit.'

The inherent vice of the Cavaliers was however not only discovered in this ingenious reply, but Wood[1] tells us the Visitors voted it a 'saucy' answer, and expelled the poor fellows without further ceremony. It must be said indeed that the Visitors had no choice. They had been ordered by the Committee of Parliament, on the 15th of May, to accept nothing short of an unconditional answer. But might they not have excused the cooks and butlers? Were the new Fellows afraid that their intrusion might be paid off upon them in some unsavoury manner? In the case of Hollingworth, the butler, we find his expulsion decreed without any examination whatever. He had no doubt compromised himself on the side of his Sovereign long before, as we may gather from the following grateful inscription placed over

[1] Annals, an. 1648.

his grave in the cloisters, and still to be seen. When he died such memories were precious, and the College did itself honour by recording them :—

'H. S. E. Johannes Hollingworth hujus Coll. promus et obsonator, quæ officia et juste et generose executus est; Collegio simul et Regi (ultra vulgus famulorum) fidus: quo exulante munere utroque caruit haud ante ipsius reditum restitutus: ita se demum in omni fortuna gessit ut palam fuerit vel ad maxima non illi animum defuisse. Ob. prid. Oct. A.D. 1671, ætatis suæ 63.'

Whatever our opinions, we must admit that these were heroes. They gave up all for conscience' sake.

While on this subject of submission to Parliament in 1648, it may be interesting to notice the different proportions of Submitters to Non-submitters in the Colleges of Oxford, as it may be found in the index of the MS. already mentioned. It has not yet been published. Only fourteen Colleges are registered. Fellows, Chaplains and Servants are here given in the aggregate.

	Submitters.	Non-submitters.
Magdalen College	21	55
Christ Church	35	70
Trinity College	20	16
Brasenose	12	11
St. John's	7	36
Wadham	4	10
University	6	4
Merton	37	7
Exeter	11	21
Oriel	3	11
Corpus	3	32
Queen's	18	33
All Souls	5	13
New	5	63
Total	187	382

Hence it appears that New College, St. John's, and Corpus were the most zealously united on the side of the King; and that Merton, Trinity, and University alone had a majority of men who could bring themselves to submit to the Parliament. Merton of course, under its Warden, Sir Nathaniel Brent, and as the head-quarters of the Visitors, was likely to take the latter line. Of the Non-submitters about five-sixths were Fellows.

There had been no election of Fellows at All Souls on the proper day in 1647. If the Gaudy was kept it must have been a sad one. The attitude of defiance was but a bravado. The terrible gloom of the storm overclouded Oxford. The King was suffering the most rigorous imprisonment; the Warden of the College was attending upon him; the Society was practically broken up; the rents uncollected; 'divers Fellowships void'—says the 'Acta.' 'The Parliament prohibited any election.' 'No schollers appeared.' No wonder!

By the time All Souls' Day had broken on the College in 1648, the cloud had burst. The Warden and most of the Fellows were now expelled, and the Visitors had filled up their places. The use of the Prayer-book had been inhibited, and the Directory established in its stead. The College could hardly have known itself. We may gather the sort of feeling with which the intrusion was regarded by the scattered flock from the silent and expressive evidence of the entry made in the College Records at the Restoration. The books were then re-organised, and the old names carefully copied into a new book. Down to the time of the expulsion of the College authorities every name from the date of the Foundation is placed in its proper year, and accompanied with the name of the county to which the Fellow belonged, and with some remark as to his subsequent career if, as is frequently the case, there is anything to distinguish him from the rest. But the list of the forty-three Fellows intruded

by command of the Parliament without election, stands by itself, distinguished from the previous and subsequent entries by the absence of year of admission, birth-place, or remark of any description. It is given in the lump, simply headed 'Per Parliamenti Commissarios,' and left to tell its own tale!

Yet, whatever the statutable position of these Fellows, the College has long recognised with pride and gratitude that it owes one of the greatest names on its glorious roll to the Parliamentary Visitors. The name of Thomas Sydenham—spelt 'Siddenham' in the Visitors' Register—stands second on the list above-mentioned, immediately after that of the Colonel-Proctor 'Hieron. Sanchy.' It is possible that the new Warden, being a medical man, may have used some influence for his admission; but he is said to have been nominated through the interest of a cousin. He was as yet little known as we now know him; but it would seem that his political principles might well have entitled him to the favour of the Visitors without any 'interest' from without. They must have been thankful to find such a candidate. He had been bred at Magdalen Hall, at that time the stronghold of Puritanism, had retired from Oxford when it became a Royalist fortress, returned when it fell into the hands of the Parliament, and retired finally just before the Restoration. His sympathies were no doubt during his academical life entirely with the party of the Rebellion, and it has been said, though without proof, that he served against the King. All Souls may well be proud of having for several years afforded a home to one who will always rank among the very greatest of physicians, and whose independence and originality were probably strengthened, if not gained, during his residence within its walls, before he became the instructor of England and of Europe for many more generations than his own.

The name of one who attained eminence of a humbler

kind is also enrolled in this list. Joseph Keeble, or Keble, ranks among the most industrious reporters of law cases and sermons ever known. Several names of course suggest relationship to prominent persons on the victorious side. Thus we have a Rouse and a Brent, and Whitelock was certainly the son of the famous Parliamentarian. The name of Kenelm Digby reminds us of the family which was so distinguished at this period, but he does not seem to be claimed as a member of it: Wood mentions him as a violinist, and that he died in 1688. Peter Pett's name will be held in honour by those who remember that he was one of the founders, or at least one of the first Fellows elected by, the Royal Society. He became Advocate-General to Charles the Second, a knight, and a considerable author. Millington also lived to become a knight and the Sedleian Professor of Natural Philosophy. And we must in fairness connect with these men, especially perhaps with the two last-named, the election of the immortal Christopher Wren. When, from causes which we shall presently trace, the College was again allowed, in 1653, its ancient privilege of free election, Wren was its first choice; and in 1658 we find it electing a man whose career was also in its way an ornament to his College, William, afterwards Sir William Trumbull. He became Ambassador to France and Turkey under James the Second, Secretary of State to William the Third, and a Burgess for Oxford University. He is also known as the friend and correspondent of Pope.

The change of Government seems to have been specially favourable to the progress of Physical Science. Before the Civil War began the great leaders of that branch of Science had commenced their meetings in London; and the meetings at Oxford during the Commonwealth were but a continuation and development of the former; but they were so great a development that Bishop Sprat[1]

[1] History of the Royal Society.

considered that the Royal Society took its rise from them. All Souls was the main home and centre of this movement, as will appear from the following passage in Wood:—

'In this yeare, 1655, Arth. Tillyard, apothecary and great royallist, sold coffey publicly in his house against All Soules Coll. He was encouraged so to do by some royallists, now living in Oxon, and by others, who esteem'd themselves either virtuosi or wits; of which the chiefest number were of Alls. Coll., as Peter Pett, Thom. Millington (afterwards an eminent physitian and a knight), Tim. Baldwin, Christop. Wren, George Castle, Will. Bull, &c. There were others also, as Joh. Lamphire, a physician lately ejected from New Coll., who was sometimes the natural droll of the company, the two Wrens, sojournors in Oxon, Matthew and Thomas, sons of Dr. Wren, bishop of Ely, &c.[1]'

In order that we may be able to pursue without interruption the history of the relations between All Souls and the new Visitors, which forms the main thread of this chapter, let us glance for a moment at the condition in which Sheldon found himself during the Commonwealth; and this will lead us to a further notice of Jeremy Taylor.

After an imprisonment of several months, during which an attempt was made to remove him to Wallingford Castle ('since the continuance of Dr. Sheldon in prison might be of dangerous consequence in regard to the great resort of persons to him[2]'), but which failed from the Governor refusing to receive him, we find that on September 28, 1648, he was asked by the Visitors 'where hee intended to reside. And having signified his humble desire contained in this enclosed paper under his hand' (which is not given), . . . it is officially noted that 'Dr. Sheldon having divers business committed to his trust, may follow those businesses in any place except within five miles of the Universitie of Oxford or in the Isle of Wight' (where the King was at that time

[1] Life, sub ann. 1655, 1663.

[2] Wood's Annals, p. 589.

imprisoned, and begging that Sheldon might be sent to him), Mr. Richard Newdigate of Gray's Inn 'undertaking for his appearance' if sent for. He is now 'released of his confinement, and all restraint by any order or warrant of the Visitors is hereby taken off.'

But he was not left long in suspense as to his position; for immediately following the above entry is an order to 'Lieutenant-Colonel Kelsay, Governor of Oxon,' to this effect:—

'Whereas Dr. Sheldon, since his removeall from All Soules Colledg, hath taken some houses which belong to the said Colledg without the consent of the Bursar or leave from Dr. Palmer, the Warden of the Colledg aforesaid, these are to desire you to send some of your officers to seize the houses and returne them to the present Bursars for the service of the Colledg.' Yet immediately under this order, in a different hand, two months later, we find the following:—'18 Dec^{r}, 1648; ordered that the order for seizing the houses from Dr. Sheldon is hereby reversed and discharged by and with the consent of Dr. Palmer, Warden of All Soules Colledge.'

There is no clue to the manner in which this change was effected. It is a matter of very slight consequence, but it looks like a creditable circumstance in the history of the College that even an ejected Warden should have interest made in his favour to prevent his being disturbed in the occupation of College property now in the undisputed possession of his enemies[1].

We find but few details as to the life of Sheldon from this time till the Restoration. It were to be wished we knew more. Like Taylor, he became a central figure round which the persecuted Royalists rallied, but with his usual good sense he contrived to escape observation when to be observed was to ruin his chances of usefulness In his 'retirement to his friends in Staffordshire, Nottingham-

[1] Vis. Reg. pp. 204, 218.

shire and Derbyshire he was constantly transmitting moneys to the exiled King from his own purse and from others which he made use of[1].' In Cary's 'Memorials of the Civil War[2]' will be found many indications of the assistance he rendered to the distressed members of his party, such as Bishop Wren, and of the respect paid to his opinion by the chief dignitaries of the Church, many of whom beg him to resolve their doubts on matters affecting politics and religion. By the following letters to him from Jeremy Taylor, in return for pecuniary help and literary assistance, we may trace his generous hand and judicious spirit.

Between these two good men there had been, it is supposed, some coolness at All Souls, occasioned, as Bishop Heber conjectures, by Sheldon's opposition to Laud's appointment of Taylor to the Fellowship[3]; and he gives as the reason for his suppositions, some expressions in a letter from Taylor which he published[4]. This may be so; but the discovery of another letter from Taylor to Sheldon, of a date earlier by some years[5], seems to remove the cause of disagreement, whatever it was, to a later period; and on the whole it seems probable that Heber's guess is wrong. We give this second letter, which has not yet been printed, first.

'Sir, I received your most affectionate and charitable letter and acquittance, and am satisfied because you are pleased to be so, resolving to take up the remaining portion of the debt at the great Audit and accounts of charity; but, Sir, though (as I have reason for it) I am highly sensible of this great favour, yet I do more value it that you are pleased to give me a portion in your prayers. Sir, I have now sent to the press, but first to my Lord Bishop of Salisbury' [Brian Duppa] 'to be perused, a discourse of the Real Presence

[1] Wood.
[2] e. g. vol. i. pp. 332, 4, 5, 6.
[3] Heber's Life of Taylor, p. xix.
[4] Ibid. p. xlix.
[5] Tanner MSS. vol. 52. fol. 7.

occasioned by my conference with a Jesuit in these parts. It hath passed all the Welch censure I could well obtain for it, and I have put so much care and industry upon the question as I could. Its greatest infelicity is it cannot find your leisure and opportunity to peruse, but when it is out I am confident it will find your charity, because I know your charity to me hath a great part in your censures concerning me and mine. Dear Sir,—I am with the deepest resentments of the world and for the greatest reasons, your most obliged and most affectionate friend and hearty servant — JEREMY TAYLOR. April 11, 1653.

'To my worthiest friend Dr. Gilbert Sheldon present these with speed.'

The other letter, printed by Heber, is of the end of the year 1655, and is as follows;—

'Dear Sir,—I received yours dated November 5, in which I find a continued and enlarged expression of that kindness with which you have always assisted my condition and promoted my interest. Two debts you are pleased to forgive me; one of money, the other of unkindness. I thank you for both; but this latter debt was contracted when I understood not you, and less understood myself; but I dare say there was nothing in it but folly and imprudence. But I will not do it so much favour as to excuse it. If it was displeasing to you then, it is much more to mee now that I know of it.' He goes on to thank him 'for the prudent and friendly advice you were pleased to give me in your other letter relating to my great undertaking in "Cases of Conscience." . . . I will strictly observe your caution. Sir, though it hath always been my fortune to be an obliged person to you, and I now have less hope than ever of being free from the great variety of your endearments, yet I beg of you to add this favour;—to think that I am all that to you which you can wish, save only that I cannot express how much I love and how much I honour you.'

Putting these two letters together it would certainly appear that the 'unkindness' for which Taylor reproaches himself in the second letter must have occurred since the first was written. Such a 'debt' could hardly have been running on after the 'affectionate and charitable letter and

acquittance' received from Sheldon long before. There must have been some temporary estrangement between 1653 and 1655, occasioned perhaps by pecuniary difficulties. The first letter does indeed refer to 'charitable censures of me and mine;' but this does not look like the days of All Souls so long passed away, the period of Taylor's bachelor life.

One further notice of Sheldon will conclude what we have to say of him before the Restoration. It is in connection with the return of Charles the Second, in which he was taking, as might be expected, an active part. In a letter to a nobleman, preserved by Clarendon, he begs his friend to convey to Lord Clarendon the concern he feels at the reports which reach him from Charles's Court. It is within a few days of the happy event which had all but come at last, yet so suddenly and unexpectedly. He hears that 'the King doth give places to every one almost that is recommended to him, whether they deserve it or no, some of which places, they say, were given to others before[1].' It would have been well for England had this friendly warning received attention.

A distinguished Fellow of All Souls must here be mentioned who had done what he could to stem the tide of revolution in his own way, was expelled in 1648 without any ceremony, and lived to become a knight and Master of Requests in the days of the Restoration. Sir John Birkenhead, who had been Reader in Moral Philosophy at Oxford, must be considered one of the earliest newspaper writers, or at any rate a precursor of such. He wrote with great wit and spirit Mercurius Aulicus as early as 1642, a paper which appeared from time to time in the Royalist cause: Heylin conducted the paper at a later date, but in inferior style. After the Restoration 'the Loyal Poet' was well known as an active pamphleteer. The College sent forth also another

[1] Clarendon State Papers, iii. 736.

notorious writer in this age, but his character, making all allowance for Wood's prejudices, does not stand high. Marchmont Needham was an All Souls Master of Arts, having been a Chorister, but not a Fellow. He developed great talent in ephemeral literature, changing sides however with the most unblushing readiness. This was not held to be pardonable by his contemporaries; for opinions were matters of life and death in that age, and secrets fell into the possession of men who in changing sides too often became traitors. Wood calls him 'that most seditious, mutable and railing author.' Aubrey[1], however, in a letter to Wood pronounces Mercurius Pragmaticus to be 'full of wit and good remarques of those days;' and Thorpe[2] tells Wood that Needham 'obtained a pardon after the Restoration, and practised physic in London the last years of his life with some reputation.'

We now return to the government of the University, and especially of All Souls, by the new Visitors. They set out with all the zeal of root-and-branch reformers, and they effected much, if not all they intended. They had a very serious task before them, even with the example of Cambridge for their guidance, that University having long been reduced to the new model; but their difficulties were increased by the dissensions which rapidly sprang up between themselves and the London 'Committee for Reformation of the University.' Both claimed, amongst other things, the appointment to Fellowships; and All Souls, us usual, seems to have supplied the main bone of contention. The London Committee included certain Independents within its body, and these of course hated the Presbyterian Visitors as much as they did the Church. Long before the end, affairs had been almost brought to a dead lock.

We must by no means follow Wood in his bitter depreciation of the work done by these authorities. He of course gives

[1] Wood's MS. Letters, Bodl. Lib. [2] Ibid.

them no quarter. He scoffs at their efforts to introduce order among the motley group of new Fellows, which he calls a 'reform of reformation,' and at their plan, when they began to allow elections, of requiring a testimonial of 'godliness and integrity' to be submitted to themselves beforehand. But the records of All Souls enable us to say a good deal in their favour; and at this distance of time we can make allowance for a line of general disciplinary conduct which was and is foreign to the ancient customs of the Church and the University. The Puritan authorities were forced to use such weapons as were familiar to them; and, as to the practical result, there is something in Neal's remark that Clarendon has himself supplied an answer to detractors when he dilates on the fund of recuperative power possessed by the Universities, as shewn by the way in which religion and learning still pertinaciously flourished there in spite of the ejection of all the best elements of their life. It is also true that many who afterwards became the most distinguished ornaments of the Church received their first training during this period. We will give a specimen or two of the methods of the Visitors before we trace the gradual process of their failure and the dissolution of their authority.

As far as the general Orders addressed to the University are concerned it is scarcely possible to conceive anything more stringent than the following:—

'July 20, 1649.—Wee hereby require the severall Heads and Governors of Colledges and Halls in this Universitie of Oxon that they cause either the Greeke or Latine to be strictly and constantly exercised and spoken in their familiar discourse within the said severall Colledges and Halls respectively; and that no other language be spoken by any fellow, scholar or student whatsoever, and to cause this order to be performed and executed from time to time.'

The reason for this order is then given as follows:—

'The complaint made by divers learned men of the defect

that English scholars labor under both in their primale and home exercises and in their publique discourses with fforagners by their speaking English in their several Colledges and Halls[1].'

This order, as might be expected, has to be repeated more than once. Again, stringent orders are to be found in the Register requiring 'all Masters of Arts and Bachelors to be present at all religious exercises, and in particular the Prayers Morning and Evening in them' [i. e. the Directory] 'observed and appointed[2].' Also at the weekly catechizing in every College and Hall on Saturdays between five and six in the afternoon, to be performed by the Head of the House, 'all Undergraduates are to attend, in the place appointed, to be instructed[3].' These gentlemen are also to give an account of the sermons they had heard[4]; an order which Wood says 'was obeyed by all Colleges except one or two;—Oriel, I think, did not obey this order[5].'

'The whirligig of time has brought about its revenges;' Oriel alone of all Oxford Colleges was distinguished by the observance of this custom in modern times.

To come to the communications especially addressed to All Souls;—the letters of the Visitors in 1650 and 1651 may be abstracted thus. On June 15 of the former year the Visitors are informed that there is a 'great neglect of repairing unto and attending the Worship of God in the Chapel of All Souls;' and they order the Subwarden, the Warden being absent on attendance in Parliament, to look to it. They also complain that the proper scholastic exercises are not performed, and that neglect is excused on the ground of the Warden's absence. Therefore, the College being so much out of order they decide that the Fellows are not fit to elect in the statutable way, and announce

[1] Vis. Reg. p. 265. [2] Ibid. p. 442. [3] Ibid. p. 462.
[4] Ibid. pp. 395, 437. [5] Annals, p. 654.

that they shall put in all the Fellows themselves as vacancies arise and assign them their College offices. This they accordingly proceed to do on several occasions;—a method of government not promising for the future. With a non-resident Warden and a new body of Fellows it may have seemed necessary; but it was not wise. The traditions of self-government spoke from the very walls. Old Martin Aylworth and his colleagues of the old régime did not mean exactly this when they brought their consciences into a fit frame for submitting to the Parliamentary Visitation.

Hence an opposition on the part of the College which found various channels for expression. The Warden himself did not admire being reckoned as nobody. His sympathies were with the London Committee for Reformation, and not with the Visitors; and he was a friend of Oliver Cromwell. When released from his Parliamentary duties, and able to attend to his Oxford office, he becomes the spokesman of a sub-delegacy which was appointed by the malcontent portion of the reformed University for the purpose of limiting the power of the Visitors. This was in 1654. Wood tells us that he 'laid open the matter excellently well;' and the remonstrance had a considerable effect; for the Visitors were already divided among themselves as well as opposed from London.

As early as 1650 the London Committee express their own particular dissatisfaction with the proceedings of the Fellows of the College. When requiring an account of the circumstances under which 'Mr. Coventrie,' the future Secretary of State, retained his Fellowship though a 'delinquent' (and a 'delinquent' of the blackest hue, for he had been absent on the King's service nine years), the College replied that it 'can give no account thereof in regard the Colledge books wherein leave for absence is entered cannot be found.' Here we may note that the regular 'Colledge book' for

such entries was very conveniently absent at this moment, inasmuch as there are entries in it all through the period of the Commonwealth; but perhaps the reference is to some other book then existing. The Visitors make short work of this matter, and the name of the delinquent is forthwith erased[1]. One extract from this book, of 1650, may find a place here in reference to the state of the College affairs. A tenant, Dr. Steed, has 'an easy fine by reason of his extraordinary respect shewed to the College these troublous times in paying all his rents fully and well without any deduction for taxes, and some rents twice both to the Parliament and also to the College.' One can hardly imagine that such model tenants were numerous.

So far both Parliamentary authorities were agreed as against the College. But soon afterwards most unpleasant letters pass between them with reference to the question of filling up Dr. Wainwright's vacancy, when his name, like Coventry's, is erased from the College books. The Committee, not choosing that all the patronage should be dispensed from Oxford, put in their own man, Brice; while the Visitors, who did not take the same view of the case, asserting that the London body was only a Committee of Appeal[2], put in a certain Osbourne. The Visitors, however, soon discover where might lay, if not right, and propose a happy expedient. They are 'credibly informed by some members' of the College that Mr. Germy, a Fellow of their own appointment, is married, 'and the gentleman is so ingeniouse as that hee will not deny it;' and for his place they propose Mr. Brice, an arrangement which produces harmony at last. The London Committee did not care much how it was done so long as their nominee got a place. Wood has not shewn here quite all

[1] Vis. Reg. pp. 313, 329.

[2] Ibid. p. 340.

his usual care in placing the name of 'Taylor' in brackets after that of the above 'Germy.' He misread the word for 'Jeremy,' and concluded it was the celebrated divine; whereas Taylor had vacated his Fellowship many years previously to the Visitatorial æra, and Germy's appointment had occurred not long before this domestic struggle between the reformers.

Once more we find the history of Oxford, and of All Souls as one of its Colleges, faithfully reflecting that of England in the change which took place as to the election of Fellows in 1653. The Rump Parliament had been at last dissolved, and with it expired the Commission of the Visitors. Their Register ceases for several weeks. It opens again with a fresh Commission from 'Lord General Cromwell;' and one important change is now observable, which we may certainly connect with the rapid elevation of the extraordinary man who was about immediately to become 'Protector,' and who would, so soon after that, have gladly accepted the title of King if he could have found any support amongst his friends. He had now triumphed over all his enemies, domestic and foreign. The victory of his arms over the Dutch had raised his fame to the highest pitch. As Chancellor of the University, guided in all probability by his friend Palmer, he would now trust those bodies as Kings had trusted them. The Colleges should elect their own Fellows under certain conditions which might afford a sufficient protection against abuse.

Wadham receives the first permission of this sort. All Souls' Day is close at hand; on that day a free election takes place once more after an interval of seven years, and amongst the first batch elected at All Souls was, as we have seen, Christopher Wren. On that very day an order is issued that 'no scholar be eligible or admittible into any place of a Probationer, Fellow or Chaplain, without a Testimonial from four persons known to the Visitors of approved godliness and

integrity, provided they be not electors.' The candidate is himself to be certified as 'truly godly, studious, and for his standing in the University of good proficiency in learning.' On the same day appears an order granting permission to Wren and three other candidates to stand, and it must have been drawn up with haste to save the election on All Souls' Day; for some informality in this the first use of the new form has occurred which is condoned with alacrity by the Visitors. Against the name of Wren are marked, in the All Souls book, the words, 'Professor of Astronomy,' 'Wilts,'—the post he soon came to occupy, the county of his birth. The exclusive reign of the intruders, unmarked (in the Records of the College) by any distinction, is at an end.

A point of some slight interest occurs in this election of Wren, which is only worth notice because everything concerning so great a man is important, and because it finds no place in his biographies, which do indeed, as a matter of fact, scarcely bestow any attention whatever on that eight years' intimate connection with All Souls, as Fellow, of which the College is justly proud. As we cannot supply much, let us make the most of that little. As regards the interior history of the College the point was by no means of small importance.

In a letter from Warden Jeames to Archbishop Sancroft in 1681[1] occurs the following passage:—

'I am told by Dr. Wallis that in the times of usurpation whilst I was turned out and banished from the College there was one Mr. Heron of Wadham College chose by a majority into Dr. Greaves his place, but Sir Christopher Wren was chose by Dr. Palmer, the then Warden, and confirmed by the power that then was, there being no Archbishop;' and he goes on to state that 'Heron by a surprisal got a Mandamus and forced the Warden with it, but there being an error in

[1] Tanner MSS. vol. 340.

it . . . it was nulled, and he could never get out another Mandamus.'

He died soon afterwards. This exercise of the Warden's power of Veto in refusing the nominee of the Fellows and obtaining the Fellowship for his own nominee by means of a devolution to the Visitors, was much quoted in the subsequent College controversies, and a Case founded upon it was laid before the celebrated Maynard. This was his Opinion:—

'(1) I conceive that there can be no election without the Warden's assent to the elected, as appears by the words "*per ipsum et majorem partem Sociorum*," &c. So y^t^ he must be assenting, and after y^e^ scrutiny of y^e^ major part of the Fellows, "ipse assumat," &c. (2) I conceive the Statutes work nothing in the case.' . . .

'MAYNARD.'

What was the cause of Heron's being preferred to Wren? It could hardly be that 'corrupt elections' had already begun, though we shall see that in two or three years the Fellows of the Puritan school had learnt the old lesson with surprising quickness. Perhaps the name of such a Royalist family as Wren's was anything but popular with the Fellows. It is much to Palmer's credit that he should have perceived the extraordinary merit of the rising genius, and, if the influences which rejected him were 'corrupt,' to the credit of the Visitors that they should have confirmed his choice. Wren in his old age (in 1710) was requested to give information on this subject. Sixty-seven years had passed since his election, and he had quite forgotten that he came in by the exercise of the Warden's Veto. Against conclusive evidence from numerous other quarters he asserted his belief that 'the Warden never claimed a negative vote in elections, but that they were always concluded and determined by a majority of Fellows.'

The struggle between the College and the Visitors soon

recommences. Even in August, 1654, the latter body exercise a power which was justifiable under the old Statutes, but which it would have been discreet, so very soon after liberty of election had been granted, to have waived. They discover that the place of Colonel Zanchy was 'voyd at the time of the last election,' and that it was 'not filled up within the time limited in the Statutes.' Accordingly, instead of waiting till next All Souls' Day, they appoint one Robert King into his place. This was of itself enough to set the College on the track of opposition. It was not trusted. In 1657 we find the Visitors exercising the ancient function of the regular Visitor of the College in appointing to offices which had not been filled up. The storm now burst; and a regular war begins. As far as we can judge by hearing only one side, the College had given just cause of complaint. The old system of corruption is alleged to have reappeared under the new régime as soon as ever the old privileges were regranted. As the Visitors remark, there was no want of tutors, even though there was but a little of the old leaven left. The Puritans in short are accused of exactly the same offence as the Cavaliers; nor will this surprise us when we reflect on the state of affairs in 1657, and observe how much reason there was why the intruded Fellows should scent the possibility of a change of wind. They might naturally prefer some equivalent for a voluntary resignation to no equivalent at all for one which they saw might very soon be compulsory. All Souls is not the only, though apparently the chief offender. It was determined to put a stop to the whole thing in a summary manner.

On April 23, 1657, was published a most stringent code of regulations for elections in all Colleges; and at the same time a special set for the benefit of New College and All Souls. These last were as minute and apparently as difficult to evade as those of any former Visitor: they seem to have been just as resolutely and successfully evaded. At the very

next election the Visitors are informed of the infraction of their code, 'forbid the Warden and Fellows from any further procedure whatsoever in reference to the said election,' and enter the following statement of the case[1], which we must give in spite of its length:—

'(1) The Colledg of Alsoules in Oxon hath for a long season to the dishonor of the University suffered under a common reputation of corruption in the buying and selling of ffellowships. (2) Besides the notoriety of sundry particular instances, the constant custome and practice of resignations so ordered that ordinarily none so much as standeth for a ffellowship (unlesse there happen to be a dead place) who hath not the benefit of a resignation from some that leave the society; and the perpetual choice of them who have such Resignations doth confirme that reputation, the Resignation being not made before the evening next before the Election, whereby none know what places will be voyd. (3) The major part of ffellowes having an intrest in keeping up this corruption agreeing together still to chuse him or them who have obtayned Resignations, expecting the same compliance from others when they come by any means to leave the Colledge, it is not possible for the Warden and the rest of the ffellows that desire reformation to prevent this corrupt practice; things being carried amongst them by a plurality of suffrages. (4) Some of the leaders in and chief contenders for this way of procedure are some ffellows that were for the non-submission to the Reformation formerly divested of all power of giving their suffrage in any Colledg affairs. (5) Wee shall not neede to say what unmeete persons are brought in to that society by this means; the maine dore of their entrance being only the obtayning the assistance of the Resigners. (6) To prevent this abuse, Orders and Injunctions have been made by the Visitors, locall and extraordinary in severall seasons, with the prescription of oaths to that purpose, which yet have had no other effect (because of the severall meanes of bargaining invented to evade them) than, as wee feare, to add perjury to the other abuse and corruptions. (7) Not long after the election in the year 1656 it pleased God to load and trouble the conscience of one Mr. Egerton who was then chosen into the Colledg; among other things this added to his perplexity

[1] Vis. Reg. p. 456.

that according to the custom hee had given here 150li for the Resignation whereby he obtayned his ffellowship. The Lord persuing his worke of grace upon his heart, he makes acknowledgment of that corruption, and resigns his ffellowship unto the Colledg, as that which he could not hould upon that ffoundation after hee had borne an open testimony against that wicked practice, and other abuses against some of the ffellows of that society. (8) Notwithstanding this testimony from heaven against that corrupt practice and bringing to light by the hand of God, the ffellowes this present yeare proceed to a new Election in the same way as formerly; and in all probability with the same corruption. And whereas the Warden with some of the godly and honest ffellowes agreed that they would chuse Mr. Egerton now againe that he might come in on a cleare accompt, seeing he was likely to be an eminently useful member of that society, not only the major part did refuse him, but also the Subwarden of the Colledg made a speech publiquely at the Election against him, desiring the Warden to take some course to proceed against him to convict him as one that had brought a scandall on the Colledg. (9) Whereas there were Injunctions and Orders sent unto them by the Visitors drawn up with the advise of most of the Heades of Houses and others in the University, and afterwards confirmed by the Visitors for the preventing this scandalous corruption, they wholly laid them aside, not once taking them into consideration.'

Next follows a formal avoidance of the election, and then, on November 16, the following letter to Cromwell:—

'Wee your Highnesse Visitors of the University of Oxon having had occasion to consider and determine a businesse of great importance to the Reformation of this place in reference to a late Election of ffellows at AllSouls College, have made bould humbly to represent unto your Highnesse in these papers the whole affaire with our procedure thereon, and the reasons thereof; humbly craving your Highnesse further confirmation of our Orders if in your wisdome you shall judg it meete so to doe.

'Your Highnesse humble and faithful servants,

Jo. Conant.	Tho. Goodwin.
Christoph. Rogers.	Rob. Harris.
Hen. Wilkinson.	Th. Owen.
Fran. Howell.	Ja. Baron.'

One remark may interrupt our narrative. Egerton's name does not appear on the list of Fellows. It must have been cancelled by the College on his resignation.

To the above letter Cromwell and his Council replied on November 27, 1657:—

'Gentlemen,—His Highnesse and the Councill have taken consideration of the papers presented from you with your letter to his Highnesse, wherein you give an account of some proceedings of yours as Visitors of that Universitie, and doe take notice of your great care and diligence therein, and likewise recommend unto you the prosecution of that businesse in discharge of your trust according to the powers given by the ordinance of his Highnesse and the Councell, and since confirmed by Parliament, to doe therein as may most conduce to the Reformation of the said Universitie in generall, and in particular of AlSoules colledg; wherein you may be well assured of all due encouragement and countenance from his Highnesse and the Councell.

'Signed in the name and by order of his Highnesse and the Councell.

'HEN. LAWRENCE, Presdt.'

Other Orders of the Visitors follow, confirming the previous avoidance of the election, after a summons to the rejected Fellows to appear, which they ignore. An Appeal is then made by these gentlemen to Cromwell himself, who refers it to 'the Lord Richard Cromwell, Chancellor of the said University, and to the Lord Fiennes, Lord Commissioner of the Great Seale, to be reported to his Highnesse;' and the Visitors fire their last shot in the following words:—

'Whereas the Statutes of your Colledg are to be produced in the said businesse, wee doe therefore hereby require you to deliver the same to our messenger to be carried up to London on the occasion.—Feb. 21, $165\frac{7}{8}$.'

Here the Register most significantly comes to a dead stop. With the exception of two merely formal orders concerning another College, these are the last words of the Visitors.

It was high time. The end was at hand. At the be-

ginning of this very month 'his Highnesse' had dissolved his fourth Parliament in blind, hopeless wrath. An invasion was impending; his troops were without pay; Ormond was in London organising a revolt. The tough spirit of the great Protector was breaking under the dread of assassination with which he was now openly threatened. In a few months more he had passed away. It is not surprising that the Visitors of Oxford University pass away also a little before him, leaving 'the Reform of the Reformation' to other hands. It may be a question whether the alleged obstinate adherence of All Souls to its custom of corrupt elections,—which thus, as far as we know, flitted across the soul of Cromwell as his last trouble from Oxford,—forms any great matter for complacent reflection; but it is at least a curious fact, worth stating. It is scarcely necessary to add that we hear no more of the Appeal. In justice to the members of the College we must again repeat that we ought to remember that we have not heard their case.

Before the next scene opens at All Souls we find the stage cleared in a very complete manner. The Pseudo-Custos survives the mighty Protector but a short time. We are left to our imagination as to the hopes and fears, the struggles and precautions which no doubt agitated him and his Society during the anxious interval which preceded the Restoration; but he, like so many actors in convulsive periods, was prematurely worn out. He lived just long enough to experience the vicissitudes of fortune. On February 15, $16\frac{5}{6}\frac{9}{0}$, affairs had advanced very far towards a solution of the difficulties which beset the nation. On that day there was 'great rejoycing in Oxford for the news that then was brought that there should be a free Parliament. The bells rang and bonfiers were made, and some rumps and tayles of sheep were flung into a bonfier at Queen's College gate.' Palmer lay a-dying in his lodgings at All Souls hard by. He had been a member of the Rump Parliament, and was therefore specially obnoxious to the

heedless mob. They did not forbear to throw into his windows the vulgar symbols of the Government under which they had so long groaned[1]. A very few days later he breathed his last (March 4). With him we close the troubled period of the Commonwealth.

[1] Wood's Life.

CHAPTER XII.

All Souls at the Restoration.

1660–1667.

The Restoration; how felt at Oxford and All Souls — Sheldon as Bishop of London — Duppa's letter to him — Recovery of the Vow of Charles the First — Effects on Charles the Second — Sheldon as Primate — Death of Duppa; and of Jeremy Taylor — Sheldonian Theatre — Account of Wren — First 'restoration' of the College Chapel.

The graphic account given by Clarendon of the circumstances attending the Restoration forms the chief basis of our general knowledge respecting the exuberant rejoicings of the people of England on that occasion. Historians do little more than quote the eloquent passages of the narrative of one who was also a chief actor in that famous scene. With him we accompany the long-exiled Prince to Dover; with him we join the joyous Thanksgiving Service at Canterbury Cathedral; with him we find the road from Rochester to London 'so full of people and acclamations as if the whole people had been gathered there;' with him we join the procession from the Tower, so long that it extends into Cheapside, and witness the two Houses of Parliament on their knees, 'casting themselves at the King's feet with all vows of affection and fidelity to the world's end:' with him we hear the witty monarch 'say

smilingly to those about him—"he doubted it had been his own fault he had been absent so long; for he saw nobody who did not protest he had ever wished for his return."' But the quaint notice given by Wood of the change of affairs at Oxford, of which he was an enthusiastic eye-witness, is not so generally known, and it may introduce us to the new state of affairs at All Souls:—

'The scene of all things is now changed, and alteration made in the countenances, actions, manners, and words of all men. Those that for these twelve years last past had governed and carried all things in a manner at their pleasure looked discontented, plucked their hats over their eyes, and were much perplexed, foreseeing that their being here must inevitably vanish. Those that had laid under a cloud for several years behind appear with cheerful looks, while others that had then flourished drooped away or withdrew themselves privately. . . . The common people hugged themselves up with the thoughts of a King, and of renewing their good old cause, enjoy their sports, especially May games, more this year than hath been since, chiefly in opposition to Presbyterians and Fanatics, who had shewed great anger before towards them. . . . The Common Prayer-book and Surplice were restored in every Church and Chapel, and the Service that had been lately practised, viz., a Psalm or two, two Chapters, and a Prayer of the priest's own making, with a little more, laid aside. All tokens of monarchy that were lately defaced or obscured in the University were also restored or new furbished over, and whatsoever was as yet fit to be introduced many did not spare to effect, and some to outrun and overdo the law before the King and Parliament had commanded or put it in force[1].'

That greater moderation was shewn in the resettlement of the University than is sometimes supposed may be gathered from the fact that eight at least of the new Commissioners were men who had submitted to the Parliamentary Visitation, and held places of authority during the Commonwealth. Of these Baldwin, a Fellow of All Souls, was one. Of those

[1] Wood's Annals, vol. ii. Part ii. sub an. 1660.

members of the University who had been put into Fellowships and other places by the late Visitors, none were expelled beyond that small proportion whose room was required for those that remained of the old ejected Royalists.

'These that they restored, whether Fellows, Scholars, servants, &c., did not amount to the sixth part of those ejected [in] 1648 and after; they being either dead, or married, or had changed their religion[1].'

Of those ejected in their turn at the Restoration some, who were not 'factious and unfit to make Collegiates,' had provision made for them, if they would accept it, as Chaplains and Clerks. At All Souls a large proportion kept their places; to which a reference is made in a letter from Charles the Second to the College, as will be hereafter noticed[2].

Such violent flux and reflux could not, however, but be most prejudicial for a time to the real work of the University. It was a year at least before it settled down.

'The Scholars were not only like them that dream, but like them who are out of their wits, mad, stark staring mad. To study was fanaticism; to be moderate was downright rebellion. And thus it continued for a twelvemonth; and thus it would have continued till this time if it had not pleased God to raise up some Vice-Chancellors who stemmed the torrent; . . and from that time the University became sober, modest, and studious as perhaps any University in Europe[3].'

This is on the whole a correct statement. The fountains of thought had been set free; and though we do not observe the full fruits of the changes which were taking place till the period of the Revolution, there are many indications of the excellent work done at the Universities during the reign of Charles the Second. While Theology was earnestly

[1] Wood's Annals, sub an. 1660.

[2] See p. 243.

[3] The Guardian's Instructor, 1688; by Stephen Penton, Principal of St. Edmund Hall; quoted by Wood, sub an. 1660.

studied, Literature and the Arts were already advancing side by side with the progress of the French under Louis Quatorze. In Physical Science under the Royal Society, in Architecture under Wren, and, soon after, in Mathematics under Newton, England was about to take the foremost place in the civilised world. Oxford as usual palpitates with the political and religious struggles which ended in the Revolution; but able and industrious men gradually raised the standard of education to as high a pitch as perhaps it has ever attained. A religious spirit still pervaded the Universities; and those men who were raised up to leaven the sceptical society of a later date were under training at both of them. No doubt a broad vein of license ran through the University stratum at this period. The manners of the age could not but infect Oxford; but it may be doubted whether there was more to complain of than in the generations preceding and succeeding it. At any rate, when Neal[1] makes the sweeping statement that 'there was a general licentiousness of manners among the students,' he adduces no other proof than the speeches of the 'orators and terræ filii' which were always much the same as at this time, and the 'sermons and satires against the Nonconformists.' All Souls certainly had its fair share of dissipated youths, as we shall see.

If the University of Oxford was happy in its Vice-Chancellors, and, we ought to add, its Chancellors, Clarendon, Sheldon, and Ormond, All Souls was fortunate in its Wardens. Sheldon himself only resumed his rightful position in name. Palmer's vacancy was kept open during the few weeks of suspense before the return of Charles, and immediately on that event it was filled as a matter of course by the old Warden; but he did not reside, as he was called on at once to assist Clarendon and Charles in the resettlement of the nation. Kennett, in his 'Register[2],' is wrong in supposing

[1] ii. 669.

[2] Sub anno 1660.

that Sheldon was not repossessed of his old place till the death of Dr. Meredith. On the contrary, having resumed, as we have said, he resigned to Meredith in the following January; Meredith was succeeded by Jeames, not by Sheldon. We shall speak of Meredith's short wardenship in its place. It was distinguished in its way; but we shall find reasons for placing Warden Jeames in one of the very first places among those who have governed the College since its foundation.

We must turn aside from the College for a moment to follow the career of its restored Warden. Of those three friends of the days of Great Tew, whose identity of political conduct we traced in 1640 and 1642, Falkland had long gone to his account, early wearied of the strife, and longing for the death which he speedily found. Hyde and Sheldon had been reserved for the thankless but glorious task of re-organising the government of Church and State. No Ministers in the whole course of English history have ever had a more difficult or delicate task to perform, whether we regard the Sovereign they served, the courtiers with whom they had to contend, the variety and balance of the interests they had to reconcile, the changes with which the new generation found itself confronted, or the promises and conditions with which the crisis of the Restoration had hampered the facile Prince. Obscured by party spirit, now nearly as much as ever, few parts of our history are less understood. Every ray of light may be of use.

If this language is thought too strong, let us confirm it by a remark made by Speaker Onslow, endorsing the opinion of Bishop Gibson—no mean judges—as to one particular incident in this reorganisation, the official relations of the clergy with the State, both as regards Convocation, and as to the franchise. After stating that the suppression of the Convocation of the clergy as a self-taxing body, and the vote given them, by way of compensation, for Members of

Parliament, were both simply settled by the tacit agreement of Hyde and Sheldon, Onslow tells us that 'Gibson, Bishop of London, said to me that this was the greatest alteration in the Constitution ever made without an express law[1].'

We may have our own opinions on the policy of the Savoy Conference and of St. Bartholomew's Day, with both which measures Sheldon was so deeply concerned; these are matters bristling with complicated details into which we cannot now enter; but we are at least bound to remember that Sheldon and his friend represented the will of the vast majority of the nation; that they understood at that time the character of the slippery monarch as the people generally only came to understand it many years afterwards; that the most 'liberal' statesmen found it necessary to support their policy of Religious Disabilities for many generations; and above all that it is the first requisite for historical judgment that we fully measure the difference of view produced by the lapse of ages.

After the restoration of Charles to the throne of his ancestors we are struck by the length of time which elapsed before he took the affairs of the Church in hand, the Church which had been smitten in his cause, and for which his father suffered what some at least consider martyrdom. One would have thought his very first measure would be to fill the vacant Sees. Surrounded by men who were indifferent or secretly hostile to the Church, and by representatives of the sects which had so lately triumphed over it, and which yet had borne a part—far less than they claimed!—in the Restoration, Charles put off the evil day, and turned a deaf ear to the counsellors whom nevertheless he knew very well he must follow in the end. What brought him to act at last?

There seems good reason to believe that the following letter from Bishop Duppa, to which we have already referred[2], sup-

[1] Note in Burnet's Own Time, i. 321, and iv. 508.

[2] See p. 180.

plies the clue. We noticed it in speaking of the late King's Vow, and will now explain its significance. It is dated August 11 (1660), and is addressed 'For the Dean of His Majesty's Chapel.' This appointment was conferred on Sheldon by Charles the Second when they met at Canterbury, no doubt at the instigation of Hyde, who knew the importance of having him near at hand. The aged Bishop of Salisbury, after lamenting his own inability to do much service at the crisis, and expressing his profound anxiety as to the state of affairs, tells Sheldon:—

'You are the only person about His Majesty that I have confidence in, and I persuade myself that as none hath his ear more, so none is likely to prevail on his heart more, and there was never more need of it; for all the professed enemies of our Church look upon this as the critical time to use their dernier resort to shake His Majesty's constancy. But I hope by this time you have recovered those buried papers which can't but have a powerful influence upon so dutiful a soul as his. I shall wait upon you so soon as I hear that my coming may be any way useful. In the mean time I am the more at ease because I know you stand ready upon the place to lay hold upon all opportunities, and are diligently upon your watch *ne ecclesia aliquid detrimenti capiat.* For which and for all your kindness to me in particular I am your most affectionate friend, BR. SARUM[1].'

There cannot be much doubt that the Vow which has been already given is the buried paper to which Duppa refers. Ten days after the date of the above letter, on 'August 21st, 1660,' Sheldon witnesses the copy of the Vow 'preserv'd thirteene years under ground by mee.' He had just recovered it at Duppa's suggestion. What took place between the King and the Dean of the Chapel Royal we know not; but within a fortnight after Sheldon had affixed his signature to the recovered paper Charles at last commences the process of filling up the vacant bishoprics. On September 3 the congé

[1] Tanner MSS. vol. 49. fol. 17.

d'elire is issued for the venerable Juxon, whose age and infirmities prevented his being practically useful, but who could not be passed over for the Primacy; on September 10 Duppa is translated to Winchester; and on September 28 Sheldon himself is 'recommended' by the King for the bishopric of London. The others soon follow[1]. We can hardly refuse to connect these events with one another in the way of cause and effect; nor can we exaggerate their importance.

Sheldon, as Bishop of London, now became virtually the Primate. The Savoy Conference took place in his official apartments,—for he retained the Mastership of the Savoy along with the bishopric; and on the death of the good Archbishop in 1663, he became Primate in fact. His splendid administrative capacity in this great office has been universally admitted even by his enemies. We know how successfully he healed by his vigilance, his tact, and his generosity the sores which the Church could not but exhibit after such convulsions. We know also how his influence at Court gradually withered along with that of his devoted friend, under the scorching breath of profligate courtiers, and the distaste of a prince sinking into the mire of debauchery. We know how he rebuked his Sovereign for his gross adultery, and so lost his favour even according to Burnet, Sheldon's detractor, or, as Swift tells us, how 'he refused the Sacrament to the King' on this account[2]. We know how in the time of the great plague—

> 'he firmly continued all the time of the greatest danger, and with his diffusive charity preserved great numbers alive that would have perished in their necessities, and by his affecting letters to all the Bishops procured great sums to be returned out of all parts of his Province[3].'

[1] See Kennett's Register for the dates.

[2] Burnet's Own Time, vol. i. p. 438; and note.

[3] Echard's Hist. of Eng. iii. 142.

We know from Wood's Athenæ (*passim*) how generous and unwearied a patron he was of good men and learned authors. We know how the University of Oxford, on Clarendon's banishment in 1667, elected him as Chancellor, with only one dissentient voice. A letter from the Archbishop declining the office on account of his 'crazy head and infirm health' is among the Sheldon Papers in the British Museum[1]; but if sent, it must have been recalled,—for he would not give way even to disease, and served the office two years. When obliged by increasing infirmities to resign it, the choice of the Duke of Ormond as his successor was made at his own urgent recommendation[2].

At Oxford his munificence can never be forgotten; and as the Theatre which bears his name brings us back to All Souls, both in relation to donor and architect, we will reserve our concluding remarks on this great man till we have followed the College history a little farther, first saying a word on the careers of Duppa and Taylor, his old All Souls friends, which came to an end before that of their leader.

Each of these admirable men was employed like Sheldon in the resettlement of affairs at the Restoration, Duppa as Visitor of Oxford University, where he had once been Vice-Chancellor and Laud's chief agent in procuring the remodelling of the Oxford Statutes at the hands of Bryan Twyne[3]; and Taylor at Dublin. The Bishop of Winchester soon sank under age and infirmities. Looked up to and respected, like Juxon, by all parties, his venerable presence carried no little weight in the settlement of the Church during the first year or two of the Restoration. If he could not do much himself, he could at least, as we have seen, encourage those who had the power. And no doubt he exercised a considerable influence on the unsteady mind of the King who had once been his

[1] Harleian MSS., cod. 3783 $\frac{79}{109}$.

[2] Carte's Ormond, Appendix, Letter xc. [3] Wood's Annals.

pupil, but had been ruined by the French society he had kept in his exile. Great allowance must always be made for Charles on this ground. How few would have stood the test of such an education as a camp, a French capital, and the position of a prince were likely to afford! How few would have withstood the evil influences of prosperity after a life of adversity and exile!

It is to the credit of the King that he still reverenced his old tutor sufficiently to repair to his sick room when he was dying, to kneel at his bedside, and receive his last blessing.

'He died,' says Wood, 'as he had lived, honoured and beloved by all that knew him, being a person of such exemplary piety, eminent candour, humility and meekness, and of so clear a character, that he left not the least spot upon his life or function. He was a man of excellent parts, a very good preacher, and an ornament to his profession[1].'

This verdict is confirmed by all contemporaries. Evelyn did indeed, in 1660, find him a 'cold preacher,' but he was now old, and fashions had changed. The Commonwealth divines had established a taste for a much more highly-spiced pulpit oratory than that of the laborious and scholarly period in which Duppa was bred.

The extraordinary estimation in which he was held by Charles the First is shewn by the well-known letters from the King given in Clarendon[2]. The first, dated August 5, 1645, commencing, 'Charles,—It is very fit for me now to prepare for the worst,' orders the Prince to put himself under the care of his mother,—

'who is to have the absolute full power of your education in all things except religion; and in that not to meddle at all, but to leave it entirely to the care of your Tutor, the Bishop of Salisbury, or to whom he shall appoint to supply his place, in time of his necessitated absence.'

[1] Wood's Athenæ. See also King's Sermon.

[2] Vol. ii. pp. 683, 698.

And again to Colepepper:—

'His mother is to have the sole care of him in all things but one, which is his religion, and that must still be under the care of the Bishop of Salisbury.'

This peculiar and entire confidence cannot of course be attributed to any one particular cause. Charles must have had ample opportunity of judging what sort of man the Bishop was; but we may well believe it was as the representative of Laud after his execution that the King came to love and trust Duppa to such a degree.

He was no doubt personally well fitted for a Court. Wood tells us[1] of his 'comeliness of person and gracefulness of deportment.' Perhaps he early gained favour or notice at Court through his travels in Spain at a period when James the First was bent on the Spanish alliance, and not long before the events which so nearly ended in Charles's Spanish marriage. It is possible there might even have been some direct connection between those events and his visit. There was much ecclesiastical intrigue behind the scenes throughout the whole of that matter. In the 'Leiger' of All Souls of 1617 Brian Duppa, then a Fellow of six years' standing from his election, is allowed by the College 'as much as his Livery came to in respect he went into Spaine a fortnight before it was due[2].' There is not the slightest clue to the cause of this journey. Why should he go to Spain, of all places in the world, except for some matter in which the Court was concerned? If it had been in any recognised position as regards the Embassy we should have heard of it.

Of Jeremy Taylor's life and character so much has been recovered by Heber, and is to be found in so accessible a form, that it is quite unnecessary to say anything here as to his sufferings during the Commonwealth, his share in the Restoration,—he was one who joined in the invitation to

[1] Athenæ. [2] Extract in MS. *penes custodem*, F. P. p. 137.

Charles to return,—or the position he held after that event. The reconstruction of the Episcopacy was delayed still longer in Ireland than in England, but when it took place at last, he found himself, like Sheldon and Duppa, called upon as the natural person to assist in the restoration of the Irish Church and University. Under Bramhall he performed no small service in the first; as Vice-Chancellor of Dublin University he did much to place that institution once more on a worthy footing. He did not long survive Duppa, dying at fifty-five with a reputation which has gone on increasing with the lapse of time. 'Even in that age of gigantic talent,' says Heber, 'he stands on an eminence superior to any of his immediate contemporaries;' and among all English divines of any age has been placed 'by the almost unanimous voice of posterity on the same lofty elevation with Hooker and with Barrow. Hooker is the object of our reverence, Barrow of our admiration, Jeremy Taylor of our love[1].'

His connection with All Souls was not of long duration, but it has supplied us with points of historical importance, and is full of interest. The names of Laud and Sheldon gather round his in this connection, and the College owes its finest picture to a descendant of Jeremy Taylor, who happily thought that there was no other institution which had more right to it. In that picture we can fairly trace the 'comely person' and expressive features for which he also, like Brian Duppa, was celebrated; and it is a satisfaction to know that so good a judge as Heber believed its 'originality to be undoubted[2].'

If Sheldon could not return to his beloved Oxford by reason of a higher call than that of the Wardenship of his old College, he at once took the most effectual means of proving his affection and gratitude to Alma Mater. Evelyn tells us that he was induced to build the famous Theatre which bears his name in consequence of the strong feeling he entertained

[1] Heber's Life of Taylor, p. ccl.

[2] Ibid. p. cxxii.

against the profanation of St. Mary's church by the annual 'Acts' (now popularly called 'Commemorations') which had always been held there. Churches, both before and for long after the Reformation, were, as we know, used for many other purposes than Divine Service. But the University 'Act' had come to be a very secular affair indeed, and it is only wonderful that it could have gone on in a church so long. There was, however, as yet no other building of sufficient size.

The abuse of the satirical address made by the Terræ Filius on these occasions was scandalous. Evelyn was present at the first 'Act' in the Sheldonian Theatre in 1669, and bitterly complains of 'that tedious, abusive, sarcastical rhapsodie[1].' He spoke to the Vice-Chancellor and several Heads of Houses, who were 'quite ashamed of it, and resolved to take care of it in future.' He calls it 'mere licentious lying and railing;' and so it was. Yet the custom continued, with occasional intermissions, for more than sixty years later. Wood calls it a 'very great and splendid Act[2],' and was no doubt present; but makes no comment on the 'satirical address'! So great was the force of habit! Nevertheless when a Terræ Filius reflected on his book, in 1673, he is extremely shocked at the performance[3]. We shall refer once more to the custom at a later date. It will be enough here to say that this outlet for academical discontents was a regular institution of long standing, that the 'Terræ Filii'—a sort of medieval Jesters, the origin of whose name is quite unknown—were elected for their humour or impudence, and that their licentious satires were virtually privileged, though often the subject of complaint. When they passed all bounds the offenders were not unfrequently expelled. The language of the oration was Latin.

[1] Journal, i. 420. See also Dr. Wallis's Letter to Boyle, Neal's Puritans, ii. 669.

[2] Life, sub ann. 1669.

[3] Ibid. 1673.

As soon as Sheldon had disposed of the mass of business attendant on the resettlement of the Church he sent for Wren, and entrusted the erection of the Theatre to his skill. It was his first work, and laid a secure foundation for his future fame. The Warden of All Souls, though exiled from Oxford, had been evidently well acquainted with the merits of this junior Fellow, and proved his penetration in the selection of the untried architect as well as his munificence in allowing him to spend so large a sum. This is said to have been £16,000, besides £2000 for endowment; but Wren told Evelyn it cost £25,000[1], which we must multiply by four or five for the present currency. It is said to be the finest room for public purposes possessed even now by any public body in Europe. Sheldon himself never saw it[2]. As to the architectural merits of the building, but especially the roof, which was in those times thought a wonderful achievement, abundant information may be obtained in 'Parentalia,' that most interesting monument of family affection.

But the numerous frequenters of Oxford Commemorations may find it interesting to observe the changes in the apportionment of seats which have taken place since Wren and Dr. John Fell, Dean of Christ Church, first assigned them.

'The Semicircle is for Doctors, Noblemen, and Inceptors in the several Faculties. The enclosure under it within the rail (which rail is set up only in Act times) is the place for the Inceptors in Arts. The Gallery behind the Doctors' Semicircle, which is in the circular part of the Theatre, is the place for Regents and Non-Regents (Masters of Arts). The Side-gallery towards the West is for Cambridge Scholars: that towards the East for strangers. The two Galleries in the front, opposite the Semicircle, for ladies and gentlewomen. The Upper Galleries above the Masters for Gentlemen Commoners and Bachelors of Arts. Those above the Cambridge men and strangers for Commoners and

[1] Journal, i. 419. [2] Ibid.

Scholars of Houses. That above the ladies for performance of music. The Area for persons of promiscuous quality[1].'

The changes of time and manners have driven the Masters of Arts (including the Professors), the 'Cambridge Scholars,' and the 'strangers' from their reserved seats, and forced them to stand in the Area with persons of 'promiscuous quality.' The 'ladies and gentlewomen' have swarmed over from their own two galleries in front into every part of the building except the Area and the Upper Gallery! The former of these is indeed no longer entirely sacred to the male sex. How long the Undergraduates may be able to withstand invasion remains for some future Wood to tell.

The period of Wren's sojourn at All Souls was short in comparison with the length of his life—eight years out of 91; but it was just the time of which we should like to have more knowledge. By the time he becomes a Professor, builds the Sheldonian Theatre, is patronised by Charles, is made Surveyor to the Crown, and by the force of his sole, unassisted genius, whatever we may now think of it, begins to change the whole face of English architecture, he had already lived several ordinary lives in one. He was then only 29, but he was already looked upon as a 'miracle.' Men cannot find words to express their sense of his ability. He came up to Wadham with a scientific reputation at 16, and owed much to the famous Warden, Dr. Wilkins, one of the most eminent founders of the Royal Society. Even during that early period at Wadham, a mere boy, Evelyn speaks of Wren as 'that miracle of a youth,' 'that rare and early prodigy of universal science,' 'that incomparable genius[2].' Few even of scientific students know how much the world is indebted to him for inventions of all sorts and kinds, some of which he perfected, but the greater part of

[1] Wood, vol. ii. Part ii. p. 796.

[2] Journal, i. p. 276, &c.

which have connected themselves with other names, the names of men who have carried further the hints thrown out by his boundless inventive fertility[1]. His attention seems chiefly to have been turned to astronomy and anatomy while he was at All Souls, where he was elected at the age of 21. For this College he was no doubt early destined while he assisted at the meetings of the future Royal Society, at 'an apothecary's house against All Souls[2],' along with his friends Peter Pett and Thomas Millington, who were already Fellows. Through them we may well suppose the young philosopher was brought so opportunely before the notice of the Warden, Dr. Palmer.

Wren's tract upon the Laws of Motion came out, after he had left All Souls, at the same moment with those of Huygens and Dr. Wallis. 'These three great men, without knowing anything of one another's thoughts, agreed exactly in the same Propositions[3].' Newton himself mentions these three together as '*hujus ætatis Geometrarum facile principes*[4];' and Hooke, the mathematician, says:—'I must affirm that since the time of Archimedes there scarcely ever has met in one man in so great a perfection, such a mechanical hand and so philosophical a mind[5].' This view of Wren's surpassing genius in other lines besides that of architecture is confirmed by a passage in Hearne's Diary—

'Some years since I heard an eminent mathematician, since deceased, say that he could mention another person then living every way equal in mathematics to Sir Isaac Newton, though he had not published. We asked him who this should be. He answered, Sir Christopher Wren, who was indeed a very extraordinary man, being an admirable

[1] Parentalia; Chalmers' Biographical Dictionary.
[2] Wood, vol. ii. Pt. ii. p. 63.
[3] Mist's Journal in Hearne's Diary, vol. 96. p. 7; Parentalia.
[4] Principia.
[5] Quoted in Biographical Dictionary.

architect, a profound mathematician, and well versed,—what Sir Isaac was not,—in classical learning [1].'

This was a common complaint against Wren—'he never could be prevailed upon to publish anything [2].' How was it possible after he became the one architect of the whole country?

In this latter capacity it is already less difficult than it was a year or two ago to measure his position. The attention which has just been called, in consequence of the attempt to restore its interior, to his great masterpiece, St. Paul's Cathedral, has once more impressed the public with the merits of a man whose name has not of late years been held in the highest honour. The last half-century has witnessed such a wonderful revival of the Gothic, or, as he called it, Saracenic, style of architecture, the reign of which he with almost supernatural force completely for a time destroyed, that Wren had come to be looked upon among us as some evil genius whose wings had too long shamefully overshadowed the land, and whom the splendid Gothic artists of our own day had at last overcome. We need not value the merits of our latest school the less if we learn to look back with a little more respect upon the work of Wren. This is not the place to enter upon a review of that work. Let us content ourselves with the briefest notice of it at the hands of his biographer:—

'The man from whose comprehensive mind arose the majestic Cathedral of St. Paul's and the fifty [one] parochial churches of London, the royal and magnificent Hospital of Greenwich, the no less appropriate and useful one at Chelsea, the most splendid ornaments of our metropolis' [such as the Monument and the two Theatres], 'the most useful structures of our two Universities—. . . at once our greatest architect, mathematician and philosopher, the most learned man of his day, who may be justly

[1] Diary 116. 31. [2] Ibid. 42. 140.

termed the British Archimedes, . . . died [in 1723] an unnoticed death. He was old, the victim of political intrigue, and had no longer the countenance of Royalty which had smiled on him for nearly three quarters of a century[1].'

This last statement refers to the well-known fact that he was 'Surveyor to the Crown in the reigns of Charles the Second, James the Second, William and Mary, William the Third, Queen Anne, and George the First,' by all but the last of whom he was honoured and trusted; or, as Horace Walpole neatly put it,—'the length of whose life enriched the reigns of several princes, and disgraced the last of them.'

Becoming, one might say by acclamation, Professor of Astronomy in 1661, the direct connection between this great man and his College ceased. Fellowships at All Souls could not then be held with Professorships,—a useful provision in his case, for even his greatest detractors can hardly wish that he had been tempted to confine himself to the narrow sphere of Oxford. But we can hardly suppose that such enthusiasm, such activity, such success read no lesson to his Society. We cannot refuse to associate his name with the gradual rise of a superior class of Fellows, with the fine burst of cultivated taste and enlightened munificence which displayed itself in the College before he died. On the two actual 'restorations' of the Chapel which took place during the earlier and later portions of his career we can only trace the indirect influence of his hand. In neither case was there any, even the slightest, attempt at restoration in the true sense, recovered in our own day. They were both of them Italianising efforts to obliterate the old Gothic features of the building; but in those days anything else was impossible. Wren was but the exponent, original

[1] Memoir of the Life and Works of Sir Christopher Wren, by James Elmes: 1823.

in a great measure, but still the exponent of the European movement which had been creeping forward surely and steadily ever since the Renaissance.

The only points on which he directly touches All Souls in a manner which we can, or but lately could, appreciate with our eyes, are, curiously enough, connected with the first year of his election and the last act of his life. In 1653 we find in the College 'Acta' that the just-elected Fellow erected the great sun-dial over the chapel, at a cost to the College of £32 11*s.* 6*d.* It was so large and so carefully constructed that the Oxford watchmakers continued to regulate their time-pieces by it up to a few years ago[1]. Its admirably-chosen motto from Martial—'*Pereunt et imputantur*'—instructed many a generation. It at last fell out of repair, and being also out of harmony with the present restoration of the Chapel, has lately been removed. By his Will he left his celebrated architectural drawings to his old College. They have been bound and catalogued with due veneration for his memory, and have lately been much used in connection with St. Paul's. His picture and his bust still bring his expressive features before each generation of his successors[2].

[1] Information from Mr. Rowell, the well-known Oxford watchmaker.

[2] Men of genius were content to work in those days on a very small scale of remuneration, or else Wren was peculiarly disinterested. The famous inscription on his tomb says—

'Qui vixit annos ultra nonaginta
Non sibi sed bono publico.'

We hear of no portion of Sheldon's £25,000 reaching the architect, though that is no positive proof it did not. We do hear of the Archbishop presenting him with a gold cup when his work was completed. 'The Surveyor's salary for building St. Paul's from the foundation to the finishing thereof—as appears from the public accounts—was no more than £200 per annum. His allowance for building all the [51] parochial churches of the City of London was about £100 per annum, and the same for the repairs of Westminster

Why was he not allowed to have a hand in restoring the College Chapel in which he so often worshipped? He was no longer Fellow, it is true, when Warden Meredith's restoration was effected in 1663–4, and which is thus described on that Warden's monument:—'*Hoc in sacello quod a situ vindicavit et marmoreum effecerat*' (sic); but he was building the Sheldonian Theatre, and chiefly residing at Oxford then, and for many years afterwards. At the time of the general reconstruction of the College in Queen Anne's reign he was no doubt too old for such a work; Thornhill and Hawksmoor might very naturally be accepted as his representatives; but we are left with less guidance for our conjectures in the first case. One thing we certainly know,—that he designed a handsome screen for the Chapel, for it is amongst his drawings; not so labelled, indeed, but with Chichele's arms in the centre. It was never adopted by the College.

The probability is that the College affairs were only slowly recovering from the confusion of the Commonwealth period, and yet that the Warden and Fellows were impatient to do something to repair the ruins in which they found themselves. Their reredos was probably not in a much worse condition than when the ruthless Commissioners of 1549 tore down its distinctive ornaments; nor do we know how much of their

Abbey.' (Parentalia, p. 344.) Perhaps the reader may not object to one sentence from his own vigorous pen on a subject much discussed in our day. 'It were to be wished,' says he, 'there were no pews but benches [in churches]; but there is no stemming the tide of profit and the advantage of pew-keepers, especially too since by pews in the Chapels of Ease the Minister is chiefly supported.' (Ibid. p. 321.) The following bit of gossip from Hearne may also be acceptable. Sir Christopher, in his eighty-fifth year, told a friend of Hearne's 'that there were no masons in London when he was a young man,' and that 'the way of making mortar with haire came into fashion in Q. Eliz.'s time.' (Diary, 59; 140, 141.) We have seen what Evelyn and others said of him in his earlier life. The famous Isaac Barrow thus speaks of him at a later date:—'*Prodigium olim pueri, nunc miraculum viri, immo dæmonium hominis.*'

splendid painted glass was destroyed at that date, nor how much had been knocked out by the soldiers of the Commonwealth; but the College pays £18 at this time for the repair of its windows. How the Ante-chapel windows in the east wall came to survive both iconoclastic periods, and to remain, as good judges declare, the best specimens of fifteenth-century glass now in England, is a mystery. Beyond the above small sum we hear of no more contributions, collegiate or other. The rest came out of private purses, chiefly no doubt from that of Warden Meredith, whose monument claims all the credit for him. Sheldon seems to have contributed nothing. As Primate he wished to pay his grateful recognition of the splendid services performed by Oxford rather to the whole University than to his own College, to which, however, he left £300 in his Will.

Wren may not have found the College prepared to enter on the work in a sufficiently energetic spirit,—though to its credit we find an entry in 1663 that the Founder's tomb at Canterbury is to be repaired, 'whatever it cost;'—for we shall see that it was a very mean 'restoration;' or the Fellows may not altogether have forgotten the circumstances of the young philosopher's election. Perhaps the Warden was not quite sympathetic. We find by his monument that he was a very clever man, for he contrived to do that very rare thing, perform two duties in different places at once, as Provost of Eton and Warden of All Souls—*Etonæ ut viros efficeret, Oxoniæ ut viros regeret*[1].' He was doubtless a representative of the 'old school' of his day, an old-fashioned Cavalier who had suffered much in the 'good old cause'—'*blandis moribus quanquam et antiquis*[2].' Possibly he did not appreciate Wren's young, impulsive, soaring, innovating, and, to patrons, expensive genius.

From the discoveries lately made we may certainly be thankful that, whatever the cause, we cannot connect the

[1] Monument in Ante-chapel. [2] Ibid.

great name of Wren with this first 'restoration' of All Souls College chapel. We need not bestow much space upon it here. The most interesting point about it is the contrast presented between the treatment at that time of the magnificent ruins, with which many generations of the College had been familiar, and their treatment at the present time, when the discovery of the same ruins has broken upon the College as an unsuspected revelation. The resolution then taken was to chip off all projecting fragments of the reredos till it was reduced to a flat level, filling in the niches with mortar and rubbish, to cover it with lath and plaster, and paint upon it a fresco of the Last Judgment. The resolution of to-day has been to get rid of the two frescoes (for another had been placed above it in the 'restoration' of Queen Anne's reign), to pick out the mortar and rubbish,—during which process so large a number of the projecting fragments which had been chipped off were found embedded, that complete authority has been obtained for every part of the restoration,—and to bring back each portion of the work to the state in which it was left by the munificence of Chichele and his immediate successors.

The painting of the fresco was entrusted to Streater, Serjeant-Painter to Charles the Second. The beautiful hammer-beam roof was also concealed by a panelled ceiling, the figures rudely painted on which corresponded with the subject of the fresco. Evelyn noticed the latter in his Journal[1], and says:—'It is the largest piece of fresco painting, or rather imitation of it, for it is in oil of turpentine, in England,' but it is 'too full of nakeds for a Chapel.' When exposed, or rather as much of it as could be seen on removing the last fresco, it appeared not only to be 'too full of nakeds,' but of very inferior execution; and the ceiling was, if possible, worse. Their discovery is almost as curious as that of the ruined

[1] i. 368.

reredos itself. It had been supposed that each previous work had been destroyed to make way for its successor; and all tradition to the contrary had passed away with the lapse of two centuries. It appeared that they had only been covered up, waiting, like other records of antiquity, for the advent of a discoverer.

This chapter may conclude with the remark that we may gather both from Wood[1] and Evelyn[2] that a taste for music had become characteristic of the College. Wood finds Pett, Digby, and Bull, all Fellows of All Souls, his most constant associates in performances on the violin; and in 1656 and 1658 he notices no less than six Fellows of All Souls who were distinguished for their skill upon the violin, viol, or lute. In the musical society of the latter year four out of its sixteen members were All Souls men; one of the sixteen was Ken, of New College, the future saintly Bishop. Oxford had become the great musical centre of England during the Commonwealth, in consequence of the abolition of musical Services in Cathedrals and other churches, and the resort thither of many musicians who had thus lost their employment. Perhaps it has not even yet lost its distinction as a musical centre. Evelyn, in 1664, goes 'to All Souls, where we heard music, voices, and theorbos performed by some ingenious Scholars.' The theorbo was a kind of lute introduced into England not very long before this date.

[1] Life. [2] Journal, i. 276.

CHAPTER XIII.

All Souls under Charles the Second and Archbishop Sheldon.

1666–1677.

Warden Jeames—Sheldon on 'corrupt resignations'—Letter of Charles the Second and the 'Dispensing Power'—Scramble for All Souls Fellowships—The Duke of Ormond—Rise of preference for old families at All Souls—Sheldon in his old age—Clarendon's Will—Sheldon's Will—His munificence—Samuel Parker's account of him—Sheldon and Chillingworth—Attacks of Burnet, Kennett, Neal, and Hallam on Sheldon's memory.

Our notices of Sheldon are now drawing to an end. His letters to the College on the old subject of elections will supply us with an opportunity for summing up his career and dealing with his detractors; but we must first introduce the new Warden, who has the arduous task before him of putting an end to the corruptions of past generations. He and his Visitor, Charles the Second, and the Duke of Ormond form the *dramatis personæ* of this chapter.

Former attempts on the part of Visitors to purify the College on the above-mentioned point had failed from different causes, but chiefly from want of a Warden who would or could give sufficient support to the Visitatorial authority. The right man had come at last. Warden Jeames was, like Meredith, a hearty Cavalier, but the war having broken out soon after his election, he had no preferments to lose like the older Fellow. Thus, very naturally, we find from a letter of his that

he 'bore arms for the good King[1].' He was in so doing preparing for the labour he was now to undergo. The steady energy proper to a man who has learnt to resist even to death was now to be taxed. From 1665, when he was elected Warden, to 1686, when he died, he was engaged in a perpetual struggle with the Court on the one hand, the Fellows of the College on the other, to preserve from the first, to recover from the last, that freedom of elections which the Founder had ordained. After his death we hear no more of this abuse. The battle was won. Hence we may assign him a place after Warner, Hoveden, and Sheldon, as the fourth of those who, since the foundation of the College, have governed it with high distinction. But he could never have succeeded without the Visitors. Indeed, as we have said, if every one is to have his due in the long history of the matter, the name of Archbishop Sancroft must stand at the head of the list.

The position held by Sheldon as Visitor of All Souls was more delicate in its relations to the Sovereign than perhaps at any former period. Charles, with his easy disposition, his loose ideas of right and wrong, surrounded by innumerable petitioners for place, many of whom had the strongest possible claims upon him, was perpetually attempting to make use of the Fellowships of All Souls and other Colleges as mere sops which he might throw to stop the mouths of hungry dogs. Some gallant Cavalier who had perhaps lost his all for the 'good King' had a son or a nephew, or a creditor, or a creditor's son, for whom provision might thus be cheaply and conveniently made. He had waylaid or overtaken the rapid steps of the active monarch in spite of every effort on his part to escape. Sometimes the King's vices or necessities may have engaged him in such attempts more heartily than any claim of service. At any rate when a vacancy occurred he was sure

[1] Tanner MSS. vol. 340.

to be reminded of it. He then had recourse to the Visitor of the College or the Chancellor of the University, or would write direct to the College, and persevere till he succeeded.

To an Archbishop whose popularity at Court had declined with Clarendon's power, and who found himself and his government of the Church confronted by the most unprincipled of all Ministries, the Cabal, the refusal to gratify Charles must have been more difficult than we can imagine. What made the matter worse was that Sheldon, as a former Warden, knew well how the old system of defeating any real election by means of stipulated payments on resignation had successfully defied repression, and even reasserted itself while he was in exile. To judge by his conduct in the case of Laud and Taylor, he would certainly have tried his own hand had he not found the Civil War upon him almost as soon as he succeeded to the Wardenship. But the opportunity was past. The times were hard. Why should not the King be served before a private man? Who could blame him for allowing what even the 'sainted Laud' had actually used for the promotion of a good object? Was this a time to be so very particular?

Happily for the future of the University, Sheldon declined to listen to such sophistries. He resolved to stand in the gap before Charles in the full flush of his prosperity, as he had stood before the soldiers of the Parliament in the deepest adversity of Charles's father. He would see right done on all sides. If the College would not give up its old evil practices he would not protect it from the King, whose nominees might be as good or better than mere purchasers of the place. If he followed the custom of his predecessors in occasionally recommending for a Fellowship he would take care that his candidate should only have fair play, along with others, after a strict examination. His letters tell their own story.

The first is dated Oct. 9, 1666:—

Mr. Warden; I understand there is a Fellowship void in the College by the death of one of your Society; an account thereof,—though I thought I might rather expect from yourself or some of the College,—yet I heard it first by those that are now in Town and suitors for it and petitioners for His Majesty's letters. This I thought good to give you notice of, and to take this occasion not only for this time but in all your elections to mind you of your duties and give you my advice and charge. I would therefore have you to admit all competitors that will stand, keeping off none. But then I do conjure you by the duty you owe to God, the King, and the Church, by the obedience you ought to preserve to me your Visitor, as you regard the oath you have taken and tender your own souls, that laying aside all interest and partiality you still make choice of such persons as in your consciences you shall think the most fit and best qualified for the place, such as may be most likely to be of reputation to the College and of use hereafter to the public. His Majesty will not be over-pressing with you for any but with respect to the good of the College. And therefore if you amongst yourselves out of self-ends and affections shall go about to bring in any that is not the best, I for my part shall never beg His Majesty to hold his hand, but shall rather desire His Majesty may be gratified than any of you. This I desire you will impart to the officers and the rest of the Fellows, and that you preserve it by you as a continual remembrancer in all such cases. And so I bid you heartily farewell.

'Your very loving friend, GILB. CANTERBURY[1].'

The second, dated Lambeth House, Feb. 2, 166$\frac{6}{7}$, commences with his decision on the question of the Surplus which has been given above[2]. He continues:—

'Having done my part for you in this point I must now remind you of your duties for the future in the business of the election, that you be careful ever to choose the best, wherein if you fail, it will not be reasonable for me to go about and desire the King to withhold his letters of command from you, from which hitherto I have kept you free. And if any of you shall do contrary to this out of any private interest or affection,

[1] Archives. [2] p. 113.

I cannot but think it much more reasonable that the King should be gratified than any of you. And so I bid you heartily farewell, and am

'Your very loving friend, GILB. CANTERBURY[1].'

Somewhat later than this Sheldon finds that the College has made an unstatutable election, and demands in the most peremptory language that the intruder shall be either at once expelled, or else make his appearance at Lambeth. The College is at the same time to send him the name of 'the person whom you thought the best and did design for.'

This vigilant method of proceeding no doubt produced an excellent effect. We shall see in the next chapter that the system of examinations was at this time strict and real. Still the system of resigning in favour of a particular person was left untouched. The only difference was that under a good Visitor and Warden care was taken that the nominee was, as we should say, 'up to the mark.' Sheldon's letters applied only to elections into 'dead places' (death vacancies) and to grossly unstatutable proceedings[2]. It was left for Sancroft to cut the canker out at the core.

In a very few years we perceive the inability of the Visitor to 'hold' Charles's hand, whether from his own loss of power, or the persistence of the College in practices which undermined his defence. The letters from the King are still extant in which he imposes his nominee on the College in the most imperious manner of which we have any record. On February 25, 1670, he 'wills and requires the College to elect to a Fellowship, 'any Canon, Statute, Custom or Constitution of the College notwithstanding,' (all of which he 'graciously dispenses with,') Peter Prydiaulx, on account of the services done

[1] Archives.

[2] See letter from Warden Jeames to Sancroft, Nov. 20, 1680. Tanner MSS. vol. 340.

by his father 'to us and the Church,' and the good promise of the youth. On March 13 he writes again, spelling the name right this time, 'Prideaux' (he is of the family which will ever be distinguished by the authorship of 'The Connexion'), announcing his pleasure that he be admitted 'without difficulty or delay.' Then follows in April a third letter, in which the King is still more astonished that 'the Fellows forget the duty they owe to us.'

'We can by no means allow of this contempt for our authority in interpositions of this kind. . . . We are offended at the undutiful proceedings of the Fellows in this matter, especially of such of them as having been intruders with notorious violence and injustice into the places of honest and loyal persons during the late usurpations, forget with how little right they live there to oppose our letters.'

These letters[1] are signed 'Arlington,' and superscribed 'Charles R.'

We have here a clear indication of the fatal course openly adopted at this period, which was so soon to cost James the Second his Crown. The 'dispensing power' had indeed been claimed by James the First in the case of All Souls, but he was too much surrounded by the traditions of freedom to venture on such an open avowal as the above, or to push matters against a vigorous opposition. He gives way before one Visitor, and only succeeds by the collusion of another. Charles the First, we have seen, puts his request in the mildest form. But the reign of violence had intervened. One wrong led to another. The thunder-storms had cleared the atmosphere, but they had left their mark. The suspension of all Canons, Statutes, Customs, or Constitutions for so many years by the Long Parliament and Cromwell had suggested strong measures and strong language to the restored Government. It is indeed remarkable that, under the circumstances, so little invasion of the liberties of the subject took place;

[1] Archives.

a moderation attributable to Clarendon and Sheldon in the first instance, as well as to Charles himself, and still more exclusively to Charles's own credit when their influence was gone. Perhaps even the above letters were the work of his unscrupulous Secretary, and scarcely received a thought from the careless monarch. For though he carried his point in the case of Prideaux, there is evidence that he listened to reason, and acted differently afterwards. On a subsequent occasion, when hard pressed to repeat his Mandate to the College, he pleaded a promise he had made never to interfere again. And the archive-chests of All Souls have somehow obtained possession of a letter addressed by the King to Oriel College in favour of a Mr. Twitty, and couched in much the same terms as the above; but there is also a second letter, handsomely withdrawing the Mandate on a representation of the unfitness of the candidate, and even apologising for his interference. The King dispensed with Dr. Browne's 'never yet having been a member of the foundation' when he 'recommended' him for the Provostship of Eton in December, 1661; but on 'further information' in February, 1662, revokes the request, and substitutes the name of Dr. Meredith (who was already Warden of All Souls), and he is elected accordingly in the following May[1].

The College did not elect Prideaux without a struggle, which is best described in the following extract from the 'Acta':—

'Agreed by the Warden and all the Fellows present that Dr. Millington be desired to draw up a petition to the King's Majesty in the College name therein setting forth that free election is granted to the College by their Charter and confirmed unto them by a Private Act of Parliament, and that by it the Warden and Fellows are bound by their oaths to maintain the rights and privileges of the College,

[1] Calendar of State Papers.

that thereby the King's Majesty may be satisfied in the cause why the College had not put his letters in favour of Mr. Prideaux into execution.'

These sentiments were worthy of Hampden, but unfortunately, as subsequent events proved, they were hollow. The ground for maintaining the 'rights and privileges of the College' was cut from under the Fellows by their own customary gloss upon the Statutes, which was in reality an habitual disregard of right. The petition came to nothing, except so far as it checked the King in the future. Prideaux was elected. It must be said there was no allegation of unfitness.

The Duke of Ormond's letter, in 1676, gives us a further indication of the low position into which the College had fallen. He would protect them from the King, but he makes them understand that he will not do it for nothing: he puts it very clearly to them that they must pay him something by way of black-mail.

His letter is dated from Euston, Sept. 25, 1676, and after requiring the College to take notice of the efforts he has made to prevent the King from forcing their Fellowships, he says:—

'While I do this on my part, you must look to be troubled sometimes with my recommendations upon extraordinary occasions, and that I expect you must comply with them if you look I should still stand in the gap for you; and of this nature I present one to you now. Mr. Gervais Scroope, son of Sir Adrian Scroope and grandson of Sir Gervais Scroope, who both so eminently served the Crown in the late unhappy times, and suffered so much for their loyalty therein, is now a candidate to be chosen Fellow of your College. Now being so qualified for that election, and besides a young man of great hopes in his studies, and as I am informed, virtuously inclined, I could not refuse the giving him this my recommendatory letter to you, as well for his sake as to prevent the interposition of His Majesty's positive command in his favour, not doubting but you will

gratify me in the choice of him, wherein you will both encourage and oblige me to serve you in all your concerns, which I desire you to communicate to the Fellows of your Society, and am always

'Your very affectionate servant, ORMOND[1].'

How the Duke, and the Sovereign in the background, were resisted on this occasion we do not find, but the name of the youth in question does not appear on the Register. Perhaps the College found on examination that the 'hopes' entertained by his patron 'in his studies' were of an unsubstantial character. Perhaps their aged Visitor carried more weight for the candidates he himself recommends, inasmuch as we shall now see that he at last departs from his former course, wearied out with failures on all sides, perceiving that the King and Court were now openly attacking the Constitution, and apparently thinking he had as good a right to recommend as they, or the Chancellor, or a 'corruptly-resigning' Fellow.

There are no letters extant from Sheldon to the College on this subject for several years after 1666; but he resumes in 1675, when he 'recommends' certain persons to the Warden, of whom he says:—

'Their characters are better understood amongst you than at this distance, and experience will make the truest discovery of their abilities, and how far they are qualified for such an encouragement. I leave them therefore to their trial, and intercede no further for either your's or the College's favour and kindness towards any of them than as they shall approve themselves by their real deserts most worthy of the Society and place for which they are suitors.'

This tone of recommendation is not of itself objectionable if there were to be any interference at all; but in a later letter of the same year he begs that 'if the candidate's learning be in any degree answerable to his be-

[1] Archives.

haviour in College, all possible favour and kindness be shewed to him.' He seems also to have stretched a point in directing that a particular Fellow's 'Faculty' might be 'commuted,' since commutation of Faculties was a mode of evading Chichele's provision as to the Fellows who must take Holy Orders. At any rate the College only complied under protest[1].

Whether these proofs of weakness in extreme old age ought to cancel Sheldon's previous commendable action in the matter of College elections must be left to the judgment of the reader. They at least afford a proof, if any were needed, that if a system of self-renewal by free elections is a valuable one in any institution it must be kept pure at the fountain-head. If tendencies to abuse can make such way and spread so widely as to sweep away at last those who had most earnestly resisted them, the first declension from consistency must be watched with extreme jealousy.

It has been said that, in spite of all, the College standard of examination was reasonably high. Some clever recruits were at any rate enlisted at this very period. In 1668 Godolphin, afterwards Provost of Eton, was elected; and in 1673 William Guise, an Oriental scholar of the very highest reputation, whose early death ten years later was deplored by the learned society of all Europe. In 1678 the famous deist, Matthew Tindal, began his long career at All Souls. The number of distinguished men who appear upon the Register immediately after a real freedom of election is secured, is however much greater than before, and can scarcely be the result of accident.

Another aspect of these efforts to impose Fellows on the College from without may also be regarded in this place. The University Commissioners of 1852 tell us in their Report[2]

[1] Tanner MSS. vol. 340.

[2] p. 181.

that in All Souls 'birth and general social qualifications seem to have given preference as far back as 1686 to Wardens, and to Fellows at least as far as the commencement of the present century.' They might have ascended far higher in the latter case. The origin of the preference mentioned may really be attributed to the Stuart period, to the Mandates and Recommendations of Kings, Chancellors, and Visitors, to the intimate connection between Kings and Primates all through this period, to the replacing of the Parliamentary Fellows by members of Cavalier families. The respect for old families and their ancient merits in the cause of Church and Crown gradually took root and reproduced itself. The freedom of elections which Sancroft carried, and which the principles of the Revolution perpetuated, only gave the more scope to this feeling, till the preference for noble birth came, by the commencement of the present century, to be recognised as the one prominent feature of the College, and so to occasion the remark of the Commissioners. No doubt the privileges of Founder's Kin were a powerful element in producing collegiate exclusiveness in modern times; but this had been in operation long before. In 1714 'the preference for birth and general social qualifications' seems to have been as notorious as a century and a half later, if we may believe only a portion of the acrid criticism of Hearne, who hated All Souls for reasons of his own. 'They generally,' he says, 'pick out those that have no need of a Fellowship, persons of great fortunes and high birth and little morals and less learning; and those that are remarkable for their industry and learning and probity, and would prove ornaments both to the College and University, are very rarely regarded by them[1].' Thus, on the point of preference for birth, we connect once more the specialty of the College with the political exigencies of the

[1] Diary; 49. 188 (Ap. 24, 1714).

seventeenth century, and so far with the general history of England.

The venerable Archbishop whose life has been touched upon in so many of the past Chapters died in 1677, in his eightieth year. One of the later glimpses we obtain of him is reflected through the last Will of Lord Clarendon, dated from 'Rouen, Dec. 11, 1674.' The fastest of friendships, maintained in prosperity and adversity for half a century, in the classic society of Lord Falkland's open mansion, the martial excitement of the University fortress, the vicissitudes of exile, the guidance of two kings, the reorganisation of a shattered nation, the struggle with high-placed vice, the common loss of Court favour, the second exile, and the quiet preparation for death, finds its last expression in these directions to his sons. Bequeathing to them 'all his papers and writings of what kind soever,' he leaves these 'entirely to their disposal as they shall be advised, either by suppressing or publishing, by the advice and approbation of my Lord Archbishop of Canterbury and the Bishop of Winchester, whom I do intreat to be the overseers of this my Will; and that they would be both suitors to His Majesty on my children's behalf, who have all possible need of His Majesty's charity, being children of a father who never committed fault against His Majesty[1].' The resolution taken by his sons not to publish the one great classical history in our language for so many years was no doubt due to these 'overseers of the Will.' It was probably judicious. Too many persons were implicated. The effect which the publication produced in the reign of Queen Anne was enormous[2].

From Anthony Wood we obtain a momentary view of the Archbishop, where the eccentric antiquarian describes how he saw him in London, received his encouragement in his great

[1] Clarendon State Papers, iii. 736.

[2] Lord Stanhope's Hist. of England, vol. ii. p. 50.

literary work, and knelt for his blessing[1]. Few letters are more creditable to any writer than one of the last Sheldon wrote, but which was sent by Sancroft, after Sheldon's death, to an obstinately non-resident Bishop, with whom he most touchingly remonstrates on his neglect of duty[2]. But we shall perhaps obtain a clearer notion of the mind of one who has left little or nothing behind him but his actions, by quoting his Will, which has not yet been printed[3]. We cannot always judge of men even by this class of documents, but the present seems an exceptional case. It is as follows:—

'I, Gilbert Sheldon, Archbishop of Canterbury, being in good health of body and sound and perfect in memory and understanding (God be praised for it) doe make and ordaine this my last Will and Testament in manner and forme following. First I recommend my soule into the mercifull hands of my gracious Redeemer, my only Lord, Saviour and Master Jesus Christ, relying wholly upon his goodness and mercy for my salvation, giving him most humble thanks for calling mee by his Gospel and grace to his knowledge and obedience, abhorring all sects, sidings and tyranny in religion, holding fast the true orthodox profession of the Catholique faith of Christ, foretold by the prophets and preached to the world by Christ himself, his blessed Apostles and their successors, being a true member of his Catholique Church within the Communion of a living part thereof, the present Church of England, desiring God to confirme mee in this ffaith and in all Christian charity and his holy feare to my lives end. My body I desire may be devoutly buried, but very privately and speedily, that my funerall may not wast much of what I leave behind me for better uses.'

These last words may be illustrated by the remark that we have scarcely any record of such munificence towards good and charitable objects as he shewed all through his life. We have no record of the sums he spent in the relief of two Kings, and of their friends in exile; but his gifts to 'public, pious and charitable uses' are usually reckoned at

[1] Life, p. lxv. [2] Tanner MSS. vol. 86. fol. 190.
[3] Collection of MSS. in Codrington's Library, All Souls College.

£66,000. His treasurer, who ought to know, put them at £72,000[1], a sum representing in material value some three or four hundred thousand pounds of our money! He came of an old Staffordshire family, and no doubt some of these funds came out of fortunes which he shared. Unmarried, he lived for the public. 'He was buried, the 16 Nov. 1677, at Croydon with little solemnity, for soe he desired[2].' His appropriate motto was '*Fortiter et suaviter.*' His epitaph contains the following words:—

'*Omnibus negotiis par, omnibus titulis superior, in rebus adversis magnus, in prosperis bonus, utriusque fortunæ Dominus, pauperum parens, literatorum patronus, ecclesiæ stator: De tanto viro pauca dicere non expedit, multa non opus est: nôrunt præsentes, posteri vix credent: Octogenarius animam piam et cælo maturam Deo reddidit V. Id. ix^bris* 1677.'

There is but one contemporaneous evidence, at all in full, of the manner in which the life and character of the Archbishop struck competent observers in his later days. It has already been translated from the Latin and printed, but cannot be omitted in this place. Samuel Parker, James the Second's Bishop of Oxford and pseudo-President of Magdalen College, does not come down to us with the best of characters; but he was an able man, with the best opportunities of judging concerning Sheldon; and his *Commentarii de rebus sui temporis*, which contain much valuable information, were only published long after his death. Let the passage be taken for what it is worth.

'Archbishop Sheldon,' says he, 'was a man of undoubted piety, but though he was very assiduous at prayers, yet he did not set so great a value on them as others did, nor regarded so much worship as the use of worship, placing the chief point of religion in the practice of a good life. In his daily discourse he cautioned those about him not to deceive themselves with an half religion, nor to think that

[1] Le Neve's Lives of the Bishops.

[2] Ashmole MSS., Bodleian Library, 860. 400.

Divine Worship was confined within the walls of the church, the principal part of it being without doors, and consisting in being conversant with mankind. If men led an upright, sober, chaste life, then and not till then, they might look upon themselves as religious; otherwise it would signify nothing what form of religion bad men followed, or to what Church they belonged. Then having spoken to this effect he added with a kind of exultation and joy:—"Do well and rejoice."

'His advice to young noblemen and gentlemen who by their parents' commands resorted daily to him was always this:—"Let it be your principal care to become honest men, and afterwards be as devout and religious as you will. No piety will be of any advantage to yourselves or anybody else unless you are honest and moral men." He had a great aversion to all pretences to extraordinary piety which covered real dishonesty; but had a sincere affection for those whose religion was attended with integrity of manners. His worthy notions of religion meeting with an excellent temper in him gave him that even tranquillity of mind by which he was ever himself and always the same in adversity and prosperity, neither over-valued nor despised life, nor feared nor wished for death; but lived agreeably to himself and others.'

It is easy to see how the species of exhortation here ascribed to Sheldon might be misinterpreted and perverted; but there is nothing even in this extract (which is, after all, only Parker's statement) to justify the opinion that he encouraged carelessness about religion. What he had learnt by sad experience, acquired in times when religious professions had been full surely brought to the test, was to discourage unreality and cant. Parker's account of the pre-eminent affection borne by Charles the First to Sheldon is entirely consistent with all we may gather from the indications given in these pages.

One other ray of light has been thrown on Sheldon's religious opinions, but at a much earlier date. It is in connection with the celebrated Chillingworth, one of the circle which frequented Great Tew. The question of signature to the Articles of the Church of England was in those

days, as in modern times, hotly debated. Chillingworth went over for a time to the Roman Communion; Sheldon was the means of bringing him back to our own, and of persuading him to sign the Articles in a sense which Chillingworth has explained as follows, and which Laud also held.

'For the Church of England I am persuaded that the constant doctrine of it is so pure and orthodox that whosoever believes it and lives according to it undoubtedly he shall be saved; and that there is no error in it which may necessitate or warrant any man to disturb the peace or renounce the Communion of it[1].'

If Sheldon had not been so grossly misrepresented by Burnet and Neal, these latter remarks and quotations would not have been inserted; since a mere reference would have better suited the plan of this book. The reader has now before him—in a very condensed form, indeed—the career and character of an eminent man. He will judge how far any differences of view which might fairly be entertained as to his political conduct or religious opinions justify what follows.

'Sheldon,' says Burnet, 'was accounted a learned man before the wars, but he was now engaged so deep in politics that scarce any prints of what he had been remained. He was a very dextrous man in business, had a great quickness of apprehension, and a very true judgment. He was a generous and charitable man. He had a great pleasantness in conversation, perhaps too great. He had an art that was peculiar to him of treating all that came to him in a most obliging manner; but few depended much on his professions of friendship. He seemed not to have a deep sense of religion, if any at all, and spoke of it most commonly as of an engine of government and a matter of policy. By this means the King came to look on him as a wise and honest clergyman[2].'

So far alone appeared in the editions of Burnet published before Dr. Routh's Oxford Edition, when various suppressed

[1] Preface to 'Religion of Protestants a Safe Way to Salvation.'

[2] Burnet's History of his Own Time, vol. i. p. 303.

passages, which the former editors had cautiously omitted, were inserted in brackets. The following appendage to the above statement was one of these:—'though he had little virtue and less religion.' This paragraph was so outrageously malicious that the editors no doubt refused to insert it for fear it should invalidate other statements in the book; but this was, and always is, a mistake. We see plainly by the light of the whole passage, what we might have suspected before, that Burnet drew his information from untrustworthy sources, from Sheldon's political enemies,—even if he had not 'evolved it,' as we now say, 'out of his own consciousness.' Some echoes of the Royalist dissatisfaction at the measures of the Restoration in which Sheldon was concerned perhaps reached his ears, and supplied part of this veracious 'character;' but one would have thought, to charge with 'little virtue and less religion' the intimate friend and constant associate of Clarendon, Falkland, Sanderson, Hammond and Morley, the fellow-worker with Laud, the adviser of Jeremy Taylor, the chosen spiritual counsellor of Charles the First, the rebuker of Charles the Second, the man whose actions we have traced (and which must have been well known to Burnet, for he was born in 1643), and of whom such words have been written as we have quoted,—would have been a little too much even for one whose 'characters' of his opponents are proverbially untrustworthy.

Yet this statement—as far as the early editors gave it—was copied verbatim into Kennett's 'Register,' from whence (if not from Burnet) those who have written our 'English Histories' have unenquiringly taken it! And the Nonconformist, Neal, has made a little improvement on it in these words:—'He made a jest of religion any further than it was a political engine of State'[1]!' For this Neal

[1] Hist. of the Puritans, ii. 708.

had no shadow of authority beyond Burnet's statement as originally published. The art of blackening an opponent's memory could hardly reach a higher perfection. But even Hallam so little remembered his professed wish to be fair, as to say without further comment—'Sheldon is represented as a man who considered religion chiefly as an engine of policy[1].' Yes; he is 'represented' so by Burnet and Neal, authors whom Hallam quotes with marked approbation throughout!

Some, and at least All Souls men, will recognise the few words placed against Sheldon's name at the foot of Loggan's print of All Souls—a contemporary document, be it observed—as more correctly expressing the facts:—'*Divino animo magni Chichley* ἔκτυπος.'

[1] Const. Hist. ii. 351.

CHAPTER XIV.

The Struggle between Archbishop Sancroft and the College.

1678–1680.

The final struggle on 'Corrupt Resignations'—History of the Tanner MSS.—Sancroft's vigorous Reform—Coincidence of struggle with the national crisis on Exclusion Bill—The superior class of Fellows put in by Sancroft and Jeames — Defence made by Fellows—Visitor and Warden fairly embarked against the Fellows.

THE battle with the dragon of corruption now begins in earnest. It is short, sharp, and decisive. For the previous struggles have been mere skirmishes; the monster has reared his head with all the more vigour after each wound; and yet those wounds were given by men who were no unsuccessful combatants in the battle of life. A St. George at last appeared on the scene. Who would have thought that conquest was reserved for one whom Bishop Burnet tells us was preferred by the Court as 'a man who might be entirely gained to serve all their ends . . . an unactive, speculative man[1].' Perhaps the line of conduct which we shall find Sancroft pursuing at All Souls may lead us to suspect once more the burly Prelate's impartiality.

As this and the next chapter will be occupied in bringing the question of corrupt Resignations to a conclusion, some apology is necessary for an attention to details which has been

[1] History of his Own Time, vol. ii. p. 90.

elsewhere avoided. Independently of the light thrown from such an unexpected quarter on Sancroft's character, and the curious coincidence between this and the great struggle of the nation now raging,—more than a coincidence, since they interpenetrate one another,—those who are interested in observing the painful process by which a great moral victory is obtained, will not, it is hoped, object to have a picture presented to them which time never fails to reproduce in one sphere or another. It so happens that the whole, or nearly the whole, of the correspondence bearing on the subject is available for our purpose,—let not the reader be alarmed; we shall present him with the briefest abstracts of it;—these papers may plead for themselves that they have gone through one of the most remarkable histories on record.

Archbishop Sancroft was not only an antiquarian who made collections of important documents, but a methodical man, who carefully preserved every letter he received, as well as, in all important cases, copies of those he sent. This, we may hope, is not uncommon; nor is it uncommon that the most precious collections should come to the hammer. Sancroft's nephew sold the Archbishop's MSS. to a bookseller[1], from whom, most fortunately, Bishop Tanner purchased them. His connection with All Souls as one of its most loyal Fellows led him to collect in one volume all Sancroft's papers relating to the College, and to send it, along with the rest of his priceless collection of books and manuscripts, to Oxford. They were the result of the labour of forty years, such labour as only two or three other persons have perhaps ever bestowed on antiquarian research. He sent them from Norwich to Oxford in a barge, as, it must be supposed, the safest method of carriage. The barge upset in the Thames.

The cases of books and papers lay 'twenty hours below water; and there were as many of them when opened as loaded seven waggons, among which were between two and

[1] Hearne's Diary, 134. 165.

three hundred volumes of MSS. which his Lordship hath been collecting near these forty years. They are so much damaged they are obliged to take them to pieces and dry them on lines. Several of them are lost, and many of them so much damaged as to be useless[1].'

'The revenues of Canterbury,' says Hearne, 'would not make him [Bishop Tanner] or the world amends for the loss of part of Archbishop Sancroft's MSS. which are irreparable[2].'

At Tanner's death the whole collection was, in obedience to his Will of 1733, sent to the Bodleian Library, (1736). The restoration by a chemical process of some of these damaged treasures is at this moment in progress at the Bodleian; but the volume containing the All Souls papers was only discoloured, and was copied in part by a chaplain of the College, more than a hundred years ago, and lodged in the Codrington Library.

The series of letters now introduced opens with some cautious approaches to the new Visitor on the part of the Warden. They evidently express the feeling,—'What sort of a man have we now at our head? Will he look into our affairs? Will he interfere to protect us, as Sheldon was once able to do, from the degradation to which we are now becoming almost callous?' In this spirit the earliest opportunity is embraced to thank the Archbishop for not having 'recommended' any candidates at the election, and at the same time to offer him a choice among the candidates whose 'themes' are transmitted,—a species of bribery which, under the circumstances, we must not perhaps be too hasty to condemn. We shall soon see the Warden taking a higher tone.

Then follow letters from various persons pursuing the old trade of begging and praying the Visitor to grant them Fellowships at All Souls; in one of which letters we find mention of some female who is about to 'dispose

[1] Northampton Mercury, January 10, 1731, quoted by Hearne (and probably written by himself), Diary, 134. 132.

[2] Diary, 134. 165.

of this as she has done of other Fellowships'! Well might good men long for some change[1]! The College on its part makes a great merit of having contributed £100 towards the rebuilding of St. Paul's Cathedral, an object well known to be very near the heart of the man whom Wren found (along with Evelyn) his earliest and most constant friend in that grand undertaking. There is evidently a shrewd suspicion that a storm is brewing.

Sancroft had, indeed, already expressed his mind in some letter which neither appears in the Tanner MSS. nor in the Archives; for just before the election on All Souls' Day, 1679, the Warden informs the Visitor of the difficulty he is in with regard to one Mr. Morley's vacancy, and the election of Mr. Morley's nominee, Mr. Stanley. He thanks the Archbishop for his

'fatherly care in preserving the College in its just liberties in our free elections and in due obedience to the Statutes of our pious Founder; and we should very much forget our duty if we did not thankfully submit and hearken to your admonitions and readily obey your commands. The sense I have of this duty obligeth me not to consent to the election of the person recommended to us by Mr. Morley. . . The young man whom Mr. Morley proposeth to us is one Mr. Stanley, a Demy of Magdalene College, one who hath performed at the Examination as well as any of the nine that stood, considering his standing and years. Mr. Morley, as I am certainly informed, came down to Oxford with a resolution of resigning to one Mr. Coney of that House, and pitched upon this young man but the night before he was to appear to be examined, so that he had little time or opportunity to make any contract with him; and to free himself from that suspicion offers to take the usual oath which we administer to Resigners, which is full enough for that purpose. . . . I must say something for my own clearing, and that is that I never promised my vote beforehand to any man, nor ever shall do it. . . .

'Your Grace's most obedient servant, THO. JEAMES[2].'

[1] Tanner MSS. vol. 340.

[2] This and the following letters, to the end of Chap. XV., are from the Tanner MSS. vol. 340.

But immediately after the election the poor Warden finds himself in a scrape. He thus reports:—

'We have finished our election, and have chosen very hopeful young men into the void places, and among the rest Stanley of Magdalene College, not as a person commended to us by Mr. Morley, but as one who deserved as well as any of the candidates; but, my lord, I had not presumed to consent to his election but that I had grounds to believe he was not the person your Grace meant when you forbid me to accept Mr. Morley's man, and was withal assured that your Grace was well satisfied that there was no trucking in the case and accordingly had declared yourself.'

It is evident from these earlier letters that Warden Jeames, however much he had tried to make the examinations strict, and resist unfit nominees either from within or without, had been too long mixed up with the proceedings of the College to strike a decisive blow at the root of the evil. It could not be done from within. If the nominee had passed a good examination, and there was no absolute proof of corrupt dealing, the Warden was not yet prepared to bring the College about his ears by refusing a man because he was a nominee. But this was the point; and Sancroft saw it. With characteristic resolution he prepares to deal with it; with characteristic pertinacity he perseveres till he succeeds. There is always—at least in England—some one to follow when a gallant leader is found. The Warden soon discovers he has a Visitor whom he can trust. He rises to the occasion; at once, to his great credit, he casts aside the half-measures with which he had been hitherto contented, and throws himself into the breach. On one occasion when even Sancroft was for a moment staggered, the old Cavalier, who had 'borne arms for the good King,' tells him pretty plainly they had gone too far to retreat, and that they must now conquer or die. The struggle does indeed, as a matter of fact, bring him prematurely to the grave.

Some correspondence, which we have not before us, has followed the above letters; for on May 9, 1680, the Warden sends the Visitor a full account of the existing state of things as regards oaths and elections. A scientific investigation is commenced; and the Warden suggests that the Archbishop should make his own chaplain's case the first example, since this functionary, one Mr. Trumbull, a Fellow of the College, was at this very time intriguing, under the Primate's very nose, for a nominee. No doubt the gentleman saw the necessity of speed in the matter. If this were made 'the leading case . . . no one will have cause to complain in future.' He then supplies the forms of Oath taken by Petitioners, Fellows on admission, and Resigners. The two first of these are Whitgift's Oaths[1], but the third is not. Nor is it Abbot's, of which it turns out that the College is absolutely ignorant. It had been evidently substituted for Abbot's Oath. As more lax than his, it was not likely to excite unpleasant enquiries. It seems to have admitted of easy evasion; and yet it appears at first sight strict enough. Here it is:—

'I, A. B., do swear that neither I, or any other for me, by my consent or knowledge, have contracted to receive money or money-worth for that my departure or resigning whereby any other should be chosen or elected into my place.'

It will be seen, however, that this only speaks in the past tense. An 'understanding' might still take place by which, when the resignation was *completed* and the nominee elected, the *quid pro quo* might find its way to the right quarter. There is no clue to the date of this substitution. The gap caused by the Civil War in the continuity of College arrangements makes itself felt in such ways as this.

Warden Jeames at any rate knew nothing about this oath. It was fortunate that the Archiepiscopal Archives of

[1] See p. 107.

Lambeth were more available than those of All Souls. The Warden had only 'heard' of some better provision against corruption.

'I have heard that Dr. Moket, who was Warden in King James's reign, would have imposed an oath upon the Resigners whereby they should have been obliged never to have received any gratuity from their successors or their friends in case it should be offered; but that the Fellows refused to take any such oath, saying that if they were obliged to resign to nobody that might be grateful they must then resign to the Devil.'

He also suggests that collusion would be made more difficult by obliging Resigners to declare themselves ten days before the election, and thus to give time for 'looking out fit persons to succeed, and to examine them three days before the election.'

It was this passage about Moket and the 'resignation to the Devil' which produced the Archbishop's indignant letter, given in Chapter VIII, and introduced out of its place for the purpose of its illustration of Abbot's position. But the date of that letter is a few months later than the above. The Visitor had in the mean time ordered a search to be made in his Registry, had lighted upon Abbot's Injunctions, and concluded, quite rightly, that the oaths, as Abbot had enjoined them, being sufficient for his purpose, it would be best to recur to them rather than to any new expedient. Those oaths dealt with the future reception of an equivalent for a Fellowship as well as with any past transaction; and so could not be evaded without absolute perjury. He now therefore incorporates these oaths into his 'Injunction,' adding the Warden's suggestion, and severely rebuking the College for having 'for many years supinely neglected, or openly and obstinately broken, Injunctions so piously provided and firmly fortified, and substituted for those prescribed and stricter forms others

much more loose and long obsolete, and so having introduced into your College as by an open gate sordid and illegal bargainings and simoniacal covenants and promises, or, which is the same thing, rewards and payments[1].' He follows up this Injunction by an Ordinance[2], from which a few words may be quoted:—

'Since those Resignations which pass by the name of "*in favorem*" or "*ad gratiam*" [they had obtained a regular name] 'are very properly considered suspicious and odious . . . and at least imply the iniquitous stain of Simony, we therefore by virtue of your oath, and so under the penalty of perjury which you must pay either in this world or at the tremendous tribunal of the Supreme Judge, enjoin that you admit of no Resignation in any way unless it is pure and simple, but reject it as wholly null and void. If any of you, contrary to the tenour of this ordinance, presume to interfere, or offer, or designate any one as a successor for election or admission to his own place which he is vacating, or about to vacate, by word, writing, nod, token, or any other way, we expressly forbid you to pay any attention in your elections to such Resigner or his nominee; and we will and pronounce by this ordinance that such person shall be altogether incapable of holding the place in the College for which he stands.'

Several letters from the Warden, dated before and after the public reading of these documents in the Chapel of All Souls, shew him fully prepared to do his part.

He trusts the Visitor will 'obtain a blessing as well from God as a good report among all honest men in preventing any further abuses and corruptions in our elections, and in taking away that scandal which hath hitherto too justly lain upon us. . . . I promise myself your Grace's patronage, being otherwise unable to bear up against the opposition I foresee I shall certainly meet with.'

And after the Primate's artillery has arrived he still fears the escape of the enemy:—

'They have been so long accustomed to favour him whom

[1] From the Latin copy in the Archives. [2] Ibid.

the Resigner commends that they will hardly deny him though they may have much better choice.' Yet 'several Parliament men have resolved and threatened to complain of our selling our Fellowships.' As for Abbot's Injunctions, he had 'never heard a syllable of them before, nor have we any record in our College extant that I ever saw.'

Amongst the letters of this date appears one from a certain Emanuel Thorowgood, who tells the Archbishop that

'all honest men do commend your good endeavours to suppress that horrible impiety of selling Resignations which is now practised in All Souls College, which is the occasion of horrid perjuries, and will in time, if not redressed, make Parliament employ College revenues to honester purposes than they are now used.'

He then informs the Archbishop that his Grace's own chaplain was bargaining to push a nominee into the College for 250 guineas.

This most eventful of All Souls' Days is now drawing near. The Warden writes that the Fellows desire time for advice before taking the new Oaths. He wishes to know whether he shall refuse their votes if they have not taken the Oaths on the day of election.

'With your Grace's encouragement I will run through all opposition in assisting to break off those sinful and shameful customs which have made us so scandalous. . . All the arts are used imaginable to discourage all candidates appearing besides the four recommended by the Decessors, and yet I think we never had so good a choice as now. . . I doubt not but in all our future elections we shall still have as good choice as the University affords when it shall at last appear that the Fellowships of All Souls be conferred on the most worthy.'

These extracts reveal the fact that the approaching election was exciting attention in other places besides the College. Political partisanship was running higher at this time than ever before or since, short of civil war. This was the year,

and almost the very instant of the Exclusion Bill, which was introduced on November 11. Lord Stafford's iniquitous execution for his supposed concern in the 'Popish Plot' took place a few days later. The allusions in the correspondence to the Primate's harassed condition, and the regret felt at this additional burden being imposed on him, are frequent. In such a convulsion even the affairs of All Souls might yield a triumph to the patrons of Titus Oates and Turberville. Writing on November 20, soon after the election, the Warden excuses his past apprehensions by saying that the election took place just 'when the House of Commons went on without the least control to unsettle and overturn all things,' —for the Exclusion Bill passed in that House tumultuously, without a division,—'till upon the very day of the date of my letter your Lordships gave them a check by throwing out their Bill.' The difficulties of the position were still further increased by the doubtful character of the Law Courts. From the letter last quoted we find that the Warden's courage was tried. not only by fears of Parliament, but—according to what was threatened by some,—'that I should have been called in question before such judges, who are against all prerogatives and privileges except their own;' and the Fellows, with all this on their side, 'did here beforehand proclaim their victory.'

We may judge from all this what was the state of the atmosphere at and around All Souls when the 3rd of November, 1680, arrived. It seems no doubt a mere 'storm in a puddle' when we think of the magnitude and fierceness of the hurricane at this time ravaging Church and State, the mighty questions depending on the issue at Westminster. The succession to the Crown, the future position of Romanism in England, the limits of the royal prerogative, the relations of the two Houses, were only the most prominent out of those which the King's own conduct had brought to a point. The Great Rebellion was still fresh in men's minds,

and the Revolution looming in the distance. But the pool reflects the same heavens as the ocean. The trial to which the stout Warden was exposed proved no less severe than that which Charles himself was at that time undergoing, when he performed one of the few noble acts of his life in standing firm against his foes on the Exclusion Bill[1]. The part Sancroft played in these transactions marks the man who headed the Seven Bishops in saving the English Constitution,—nay, more, it doubtless aided materially in steeling his mind for that greater conflict.

When All Souls' Day came it soon appeared that the refractory Fellows had taken counsel's advice on the legality of the Oaths, and were prepared to proceed to extremities. The struggle lasted three days. No one but the Sub-Warden and Senior Fellow would follow the Warden's example and take the Oaths. The rest declared that nothing short of an Act of Parliament should force them. On the second day they determined to resist the Warden's power of stopping an election,—the Veto which he had hitherto exercised.

'They threw their votes,' says the Warden, 'in several scraps of paper on the table, which I would not so much as look upon, and forbade the Dean to receive them.' They proceeded thus, 'on purpose, as I suppose, to stagger and fright me. I had nobody to advise with. The Common Lawyers were gone to town, and the Civilians being for the most part of New College and our own College, I thought them persons concerned to uphold the practice used in both Houses of recommending their successor.'

The election had now by Statute 'devolved' on the Visitor, and the Warden says:—

'I doubt not but your Grace will make the best choice for us. The three first-named are I think as good scholars as the University affords for their standing. This trouble will, I fear, return every year upon your Grace till they are out of hopes of reviving the ill custom of naming their successors

[1] See Quarterly Review, July 1872; 'The Stuarts.'

which your Injunction takes away. As long as I continue Warden I will faithfully assist your Grace in the confounding of it. God long preserve your Grace an instrument of his glory and our reformation.'

Next day he writes to warn the Archbishop that he may expect a visit from the malcontents:—

'But I make no question but your Grace will make choice of those whose worth will justify your proceedings, and give me some support and comfort amongst the strivings and oppositions against me. However, I shall have peace in my own heart, since what I do in obedience to your Grace is likewise that which I am persuaded in my conscience is my duty both to God and to that charge and place wherewith I am entrusted. The several exercises of the candidates under their own hands, together with a most impartial account of their other performances in Disputations and rendering of authors, will be brought to your Grace on Tuesday.'

The reports thus transmitted to Sancroft are missing in the Tanner Collection, but accidentally turned up in searching the Rawlinson Collection[1] in the Bodleian Library.

Of one of the candidates the Warden reports that he is 'a good scholar, a hard student, and a very honest poor youth of our College.' Of another (Norris), 'a very excellent scholar who spoke verses in the Theater with very greate applause, a very good Grecian and philosopher, and a young Bachelor of Arts; he had his education at Winchester School, and is a Wiltshire man and a clergyman's second son.' Of another (Miles Stapylton of University College), 'a very excellent scholar in all the learning in which he was tried, and one of the "pauperiores."' Of another, 'a very good scholar as to philosophy and classic authors.' Of another (George Clarke), that he was 'a young man who had shown brisk parts in the examination.'

The Visitor selected three of those above mentioned out of the four which it had become his duty to name. Norris became an ornament to the College. He is known as a

[1] Misc. 1390.

'writer of great repute in his day, who published several treatises in Divinity and Philosophy. His "Miscellanies" are still read and applauded[1],'—says one who writes in 1813; but they are now forgotten. Though they can scarcely be said to deserve any other fate when compared with the writings of that day which have survived, his 'Miscellanies' shew an admirable tone of mind and amiable character. The spirit of George Herbert still seems to inspire his pious successor at Bemerton. To mention one point;—for a writer in 1687 to denounce duelling with the same energy and by the same arguments[2] which have only just subdued the practice in our own day—a practice still flourishing abroad—is no common merit. Another of those selected by the Visitor, Stapylton, was also a man of some distinction in after life; but the third, George Clarke, will occupy much of our attention in a subsequent chapter. He lived to fill high offices under the Crown, to represent the University in five Parliaments, and to become, next to Codrington, the most liberal benefactor All Souls ever had since its foundation. Certainly at this period it might seem that the only way to get the best men into the College was to leave the matter to the Warden and Visitor.

We next have before us a very long and very able letter from twenty-four Fellows of the College in defence of their conduct. It is drawn with great legal skill, as might be expected, since some of the best lawyers of the day—e.g. Dr. Littleton, who was afterwards Attorney-General—were amongst the number. They approach the Visitor with a humility which appears sarcastic. They applaud his

'pious zeal in endeavouring to prevent corruption in elections,' and 'we acknowledge ourselves obliged to promote so good a design with our utmost endeavours. Your Grace cannot propose any lawful expedient for freeing us even from the suspicion of it but we are with all cheerfulness

[1] Letters from the Bodleian. [2] Miscellanies, p. 169.

ready to comply.' They 'abhor' corruption. They are bound to obey the Visitor's Injunctions if not repugnant to their Statutes; 'but if they are, we are sworn to resist them,' nor are they to obey anything 'contrary to the law of the land.' They had been legally advised that the 'imposition of the oath now enjoined' was illegal; the Warden's refusal to proceed unless they took it was therefore a breach of the Statute which requires 'all Fellows Resident "*crastino Animarum*" to give their votes, and deprives no man of his vote upon any account, no, not for any crime whatsoever.' Therefore they persisted in giving their votes; they at any rate would not infringe their Statutes. They always understood those Statutes to mean that they 'should not choose an unfit person at the request or recommendation of another, nor for any recompense or reward.' 'That any body ever came in by corruption has not yet been made appear to us. . . We think it unreasonable to suppose any man guilty of so great a crime upon a bare report, and for ought we know, groundless.' They will gladly help the Visitor to prevent any ground of suspicion if it is but a legal way; for it is a 'noble design which tends to the reputation of our College and the honour of our founder.' 'In the mean time we hope your Grace will not endeavour to debar us of our hitherto undoubted right in a free election which the Founder has given us, the King by his Charter has confirmed to us, and in which we shall always proceed as near as possibly we can according to his Statutes and your Grace's Injunctions.'

There are only two points of importance in this letter. The question of imposing oaths was one for the Courts,—to which it soon came. The assertion that it had never been 'made appear that any one ever came in by corruption,' can only be taken as true in its bare and naked sense. No doubt it had not been made to 'appear,' but its notoriety was beyond dispute; and these twenty-four Fellows must have been perfectly well aware of what Warden upon Warden, Visitor upon Visitor, writer upon writer, in public papers as well as in letters which have remained all this time unpublished, have agreed in exposing and condemning. It is enough to say that this method of excuse reminds us of the general character of the age, the age of plots and

intrigues, of hard swearing and corrupt Courts of Law, the age when Louis Quatorze kept Members of Parliament, of all politics alike, in his pay as well as the King, and when, as a modern historian of the period has said, the affairs of Europe hung suspended on the love-knots of that King's worthless mistresses.

For a moment, however, Sancroft is staggered. So we gather from the next letter we have of the Warden's. Two of the Fellows have seen the Visitor, and he questions whether the Warden has not gone too far all at once, whether it is not true that he has broken the Statutes in refusing the votes of the Fellows. This doubt the Warden meets with the greatest decision. His Veto has been reckoned absolute from the beginning. There can be no election without his concurrence. He was bound to obey the Visitor's Injunction, which had required the oath previous to election. He could not therefore take the votes from men who had not taken the oaths.

But 'as to that which your Grace tells me of the Fellows wondering at the scandal fastened on the College of making bargains for their Fellowships, I am afraid they have as little reason as any to make strange of it, for Mr. A.'—[it is not worth while to print the names]—'one of the candidates this year, when I informed him at his first application to me, before your Injunctions came, that both he and Dr. C.' [the Resigner] 'must swear that there was no bargain made between them for money or money's worth, he presently told me that his mother had sent him word that there was to be no dealing between the Dr. and him, but that the whole management of it was referred to his guardian and Mr. W., Dr. C.'s intimate friend. . . . As for Dr. L., when he was in hopes of being Chancellor of Lichfield, I have been told, and have greater reason to believe it, that he employed his chamber-fellow, Mr. S., to find out a chapman at £300 prize, since which time I am afraid he did the same good turn for Mr. S. at his going off, in proportion to the difference between a Law and an Artist's place. . . . My Lord, it is too evident that there hath been most abominable practices in buying and selling the Founder's bounty and charity,

enough to justify against us the Patrons' selling their livings; and though I have been long grieved at it, yet I was never in hopes of a remedy against it but from your Grace's integrity, piety and justice.

And soon afterwards:—

'My Lord, I am sorry that to obtain a remedy from your Grace I am thus forced to lay open our corruptions, and that their stubbornness should betray themselves and divulge their faults at this time when men will be glad of an occasion to ruin us. For my own part I have been once already turned out of the College, and I thank God have learnt and am prepared to suffer a second time; and whatever happens 'twill be some comfort to me that before I am forced to forsake the College I have, under your Grace's conduct and auspices, endeavoured heartily to reform it . . . . My Lord, if I did not do my duty in the election, I have however done it in signifying to your Grace that there was no election.'

Just about the same date there appears a very opportune letter to the Primate, which may have contributed to remove his doubts. It is not signed, but Tanner identifies it as the production of the famous Humphrey Prideaux, then Student of Christ Church. It takes the large view of the matter which might be expected from a man of his stamp. He tells Sancroft of the intense interest which the struggle at All Souls is exciting.

'The whole body of the University bears a share in the scandal which doth hence arise, and if your Grace's good designs take such effect as to remove it for the future, a general benefit will be derived on this place thereby, not only in diverting from us the reproaches and slanders of such as are glad of any opportunity of casting them upon us, but likewise in encouraging virtue and learning, in again restoring those so considerable Fellowships to be the reward of it. That which hath chiefly encouraged the Fellows to oppose your Grace herein is a character they have received of you that you are of a temper which will soon yield when brisk opposition is made. . . . But we hope your Grace will not so easily give up so good a cause.'

He then recommends his own plan, which is to oblige every

Fellow, before admission, to enter into a bond of £500 that on resigning he will not 'recommend' a successor directly or indirectly; 'and then you may be assured nothing will be given for Resignations.' He hopes the Archbishop will not try to find out who he is. He is 'One who heartily desires the success of every good work.'

A hot fire of legal opinions now takes place. Mr. Roger North, brother of the Lord Keeper, and 'Steward of the Archiepiscopal Courts,' gives a directly opposite opinion to those of the learned Serjeants-at-law who had been consulted by the Fellows, and who, it came out, never had the whole case before them. An elaborate answer to the twenty-four Fellows is sent, drawn up, in the name of the Visitor, by a legal hand, skilfully taking advantage of their admissions, and exposing their self-contradictions. It accuses the Fellows of 'writing publicly to His Grace in a Præmunire for imposing the oath.' But 'though private persons may not impose an oath, the Visitor of a Corporation may.' Archbishops of Canterbury impose oaths on Notaries Public: Cranmer and Whitgift imposed oaths on All Souls. The Visitor holds by Statute the very place of the Founder, who gave special directions against simony. As to the Fellows declaring that the late Resigners 'forbore to recommend any of the candidates to them, they must excuse me if I give no credit thereto; it being notorious that a great part of the University some time before the election knew distinctly what candidates each Resigner did recommend, and accordingly these 24 gave their voices.'

The Warden's letters now assume a more cheerful tone. He is by this time assured of his Visitor's persistence at whatever cost, and will do his part. There is much more to be done. The success of the 'Abhorrers'—the party opposed to the Exclusion Bill—in the House of Lords had given fresh spirit to the Archbishop and his lieutenant.

'Your last letter,' says the Warden, 'hath put new life and spirit into me, so that I hope to see the good work begun

among us happily perfected, and as they call me your Grace's tool so they shall find that I have edge, mettle and temper sufficient never to be blunted nor to fail in your hand.'

In this letter he describes how 'elections were continued without any choice of candidates presenting themselves to the electors, till your Grace's predecessor, my Lord Archbishop Sheldon, when he was our Visitor and I newly come to be Warden, found the inconveniency of this course, and upon every place void by death commanded us to open our doors and admit all that would be suitors for it and always to choose the best: which command, to the best of my judgment, I always endeavoured to obey, and when I was not complied with, devolved the election. . . But as to the resigned places they have been disposed of to the Resigners till the cry of our corruptions came to your Grace's ears.'

We have already observed Sheldon's failure to grapple with more than a portion of the evil here exposed by Warden Jeames. Both he and Jeames, as past and present Wardens, had been so imbued with the usages of generations that it was thought a great matter to resign all that interest in death vacancies which the Wardens had so long been suffered to usurp, and for which others vehemently struggled with them. The institution of *ex officio* Visitors of exalted position thus signally proved its usefulness. They were sure sooner or later to acknowledge their responsibility, and they would possess official documents for reference extending from age to age. Here were Sheldon and Jeames, two men of courage and public spirit, wishing to do their duty, yet stopping short at a part of that duty! At last arises an equally conscientious man, unbiassed by usages. He intervenes with all the force he can command, and cuts the poison-tree down at the root.

CHAPTER XV.

Archbishop Sancroft's Victory.

1680—1686.

The College goes to law with the Visitor—'A perfect state of war'—Sancroft's letter to the College—The Fellows procure a Mandamus—The King's Bench supports Sancroft—A Policy of Conciliation—Boisterous loyalty of certain Fellows—Death of Warden Jeames.

At the end of the letter given in the preceding chapter the Warden says:—

'Just now, while I was writing this, three of the candidates interrupted me by coming with a Public Notary with them to demand admission upon their pretence of being elected by the majority, but receiving a peremptory denial from me they presently departed, and left me to make an end of this long letter.'

He next asks (Nov. 28, 1680) for an order

'that the Bursars and officers shall deliver the money which you allot for the Tower this year, to be intrusted in my hands for the defraying of the charges of the suit, in case I am forced to defend our Statutes, it being one of the ends specified in the Statutes why the money is to be laid up, and this I think will somewhat discourage the Fellows who set on the three Pretenders to see me, when they see I have the College money to make good the Founder's Statutes. My Lord, on Wednesday night the Fellows were much dismayed at the news that your Grace

had named four into the vacant places, but now they talk of a Prohibition, which they are in hopes to obtain for the hindering of your election.'

This was soon put beyond doubt. A letter from Mr. Roger North now reports that

'a Mandamus was moved for at the Court of King's Bench to admit a Fellow to his place in All Souls College at the late election; the Court deliberated about granting it, because the College hath a Visitor; but at last, in regard that the Court could not take knowledge of that fact officially, did grant it, with this opinion, that to return upon the Mandamus that there is a Visitor will be sufficient.'

The next letter (Dec. 2), as might be expected, discloses a 'perfect state of war,' which the Warden, an old soldier, carries into the camp of his enemies by pinching their stomachs. He finds an excuse with much ingenuity, and certainly had no right to be surprised at 'the retort courteous.'

'To countenance the Probationers [the four Fellows put in by the Archbishop on the devolution to him] at their first entrance into Commons I dined in the hall myself yesterday, and shall again to-day, and have reduced the Fellows to their ordinary Commons in messes and chops, whereas I have for some years allowed them to be served up in whole joints, but because they abused this liberty into excess, and brought a great charge upon the poorer Fellows, I now thought fit to retrench it. After dinner, when I was returned to my lodgings, the two Bursars and the two Deans came, with the Library-Statute-Book in their hand, and admonished me (in obedience to an Injunction of Archbishop Whitgift's) to expel the Head Cook, who that day chopped out their Commons, and the groom of the stable, for being married men, that, and their relation to me (one having been my servant and the other having married my wife's maid), being the only crimes they could lay to their charge.'

He then begs the Visitor to dispense with that Injunction, which had been practically dispensed with for forty

years, both in the College, and throughout the University, and proceeds:—

'We are now here in a perfect state of war. All the affronts they can with any security they put upon me, and Dr. D. [the Senior Fellow] dare never, since he obeyed your Injunctions, either be with them at the Common fire or dine with them in the Hall but when I am there. As for the Subwarden, who is bound to the Hall, he only sits out meals with them, and then retires to his chamber. Hitherto to avoid contention I have allowed every one in his turn according to seniority to come to offices in the College; but now, as well for the better discipline of the College as my own peace, I must, by interposing my negative, choose such as are the most deserving and of the most quiet temper, whom I hope your Grace upon a Devolution will be pleased to confirm, for without the assistance of the Deans I cannot punish any man, nor without the concurrence of the rest of the officers do anything of moment in the House.'

This request he repeats two days afterwards, and reports that—

'The Dean of Arts who came in the head of the rest of the officers of the College to admonish me to expel the two married servants and then behaved himself most insolently, hath publicly abused the Subwarden in gross language, calling him "rogue," for which I convened him before his Fellow Officers, and by the testimony of three of the Probationers (for none of the Fellows or College servants would witness anything) I proved the crime, and we have put him out of Commons for a week, and ordered him publicly to acknowledge his fault before the whole Society before he be restored. This I hope will something humble them.'

He then recurs to the legal proceedings now in hand, and says:—

'My Lord, I hope our case will be made good at Westminster Hall as well as it is in the Court of conscience; however I should be glad to hear what the lawyers say of it. I am heartily sorry the concerns of your College here should give your Grace such trouble in so busy a time as

is, but in all these difficulties I have no other refuge upon earth but to your Grace.'

ıe Sub-Warden above mentioned, Dr. Wynne, lived to ort a later Warden in another College struggle, and loubt deserved the praise of upright conduct pursued r great difficulties; but he is reported by Hearne as ng to himself the credit of stopping the sale of Fellow-s, a credit which this correspondence shews was really to his old Warden and Visitor. One more act of war nust relate. George Clarke has been already mentioned ne of the Probationary Fellows put in by Sancroft, and ined to be a chief ornament of his College and Univer-

But the Visitor had accidentally prefixed a wrong stian name in the official document. In war all weapons permissible. The Fellows, when the admission took place, moured,' says the Warden, 'at the misnomer,' but having icly proved Clarke's identity, 'I presently borrowed their lic Notary's pen and ink, and with it, and before them ectified the mistake in the Instrument.'

ut the Visitor now intervened with effect. The annual ege letter, full as usual of profuse compliments, gave him pportunity; and as this characteristic epistle of Sancroft's e last which we shall quote at any length on the present ect, a longer extract than usual may be excusable. It is essed to the Warden officially.

Sir,—When I look upon the letter you lately sent me I not so vain or so overweening of myself as to have any otation to think that the one half you say to me there is ıy construction due to me. But when I reflect upon the actions and proceedings of a greater part of you I cannot ider the fine things you write any otherwise than as so y protestations directly contrary to fact. In almost three s that I have had relation to you, I never asked but one g of you'—[it is not known to what this refers]—'and it not so great but that it had been often readily granted e who (it may be) had no more reason to expect it from than I had, and yet you denied me downright. And

though you thought fit upon wiser thought to do the thing, yet [I am well assured] that it was not for my sake, and, however, *diu noluistis*. But then the brisk opposition which you have lately given me in my attempt to do you the greatest good which, for ought I can see, is ever likely to fall within my power, and the daily despite you throw upon those few of your number who pay me better respect, have convinced me that you were not in earnest when you penned that letter nor believed the contents of it. Notwithstanding be assured that I shall not take the measure of my dealing with you from what you say or write or do to me, but from the rules of my duty and the suggestions of my true affection to you, which is as sincere and shall be as invariable as if you were really what in the courtly mode of the world you subscribe yourselves, *my own Family*. For there is a sort of men who will, if they can, beat the physician that visits them and the guardian that keeps them, and yet we must do them all the good we can, even whether they will or no.' [He then orders the disposition of the College revenues for the year, taking care to set aside £'100] 'to be left in the greater and outward chest "pro litibus et placitis defendendis," &c. [as the Statute directs] to defray the charge of suits which seem to threaten us. . . . And now I have named your under-officers I cannot but take notice, though with grief of mind, of a new difference started among you concerning your Head Cook and the Groom of your Stable being married men. And here truly I should highly commend the complainants' zeal for the observation of the College Rules if it were uniform and universal. But when I observe that, where vile gain and interest beckon to you, you swallow camels, and mountainous breaches of so many Statutes pass glibly down, and in the mean time you strain at this gnat, ... I cannot but advise and admonish you to let this matter remain as it is till our great difference be decided, and then all those lesser things will soon be accorded, and in the mean time not to multiply controversies, to do nothing for strife or illwill, or out of affectation of opposition, but to stay for that calm and blessed hour when you may attempt that or any other piece of reformation upon more clear and honourable grounds. If you will allow me to be one of those by-standers who may possibly see more than the gamesters, you will, I hope, hearken to this advice which I give you all on both sides;—not to study to provoke or affront one another, not to raise every day new quarrels and debates, but calmly and without animosity to expect from your superiors the determination of the great controversy, and in the

mean time in all other things to live in peace that the God of peace may be with you. I affect not to use the power I have to multiply Injunctions; but if you will compel me I must let you know that I have the same authority to interpret or suspend Archbishop Whitgift's which his immediate successors had to do the same with the 21st [concerning College disputes]; but I had much rather owe it to your own good nature that you would let the dispute fall and sleep awhile till a fitter season. God Almighty incline all your hearts to follow after the things which make for peace, but withal things wherewith one may edify another.

'I am, Sirs, your loving friend

'Lambeth, Dec. 7, 1680. 'W. C.'

This letter produced a good effect. The Warden, a few days later, writes hopefully:—

'I should be glad to turn my complaints into praises of them. The Dean who abused the Subwarden hath undergone his punishment and made a public acknowledgment of his fault. . . . Your Grace's putting up £200 this year pincheth us all . . . and now I believe they are all content to be stinted [in their Commons] since their Liveries fall so short. I hope I shall have no more trouble now till after New Year's tide, when we are to choose officers, when I must be forced to take some of the civillest of mine enemies to be sharers in the government with me.'

The Mandamus is now served; but action upon it is suspended till the Case can be argued before the Court of King's Bench. A fee of forty shillings is paid Serjeant Holloway for Counsel's opinion. The Visitor uses all his efforts to support his coadjutor while the cause is pending. He engages to confirm the Warden's choice of officers, and the Warden replies:—

'God in his mercy assist and prosper your endeavours to settle and establish the distracted state of the Church. For without the continuance of your Grace's authority over us I shall have little comfort of my place here, and shall never desire to continue Warden any longer than you are our Visitor. However the iniquity of the times may hinder

your further progress in the reformation of us, yet I bless God that you have proceeded so far where your predecessors for many years have scarce moved a foot.

"*Est aliquid prodire tenus si non datur ultra.*"'

And a little later:—

'I might still have enjoyed an ill-bought quiet if I would have disobeyed your Injunctions and betrayed my trust; and I doubt not but your Grace will uphold me against a faction that hath no regard of the duty they owe to the Statutes or the lawful interpreter of them, nor any quarrel against me but that I do not join in with them in opposing you, which they shall never obtain from me by their frowardness.'

Another letter of this date shews how maliciously the majority of the Fellows persecuted the Senior Fellow for his alliance with the Warden and Visitor, by bringing up against him an accidental omission to sign the Renunciation of the Covenant sixteen years previously. He had been in France at the time, and an Act had been passed dispensing with the signature of persons who were abroad! In short, the state of things at All Souls was anything but pleasant during this professed truce; nor apparently did they mend much till nearly a year later, when the great lawsuit was disposed of.

The election of November, 1681, took place under much the same circumstances as the last. Again the Warden puts his veto on the nominees of the Fellows, though in only one of the cases is there the same sort of accusation of corruption; but they decline to elect the Founder's kinsman, for whom the Warden claims a right; and they insist on the election of Mr. Leopold William Finch, a disreputable youth of whom we shall hear more. The Warden's present objection to him may be quoted here:—

'I cannot have a good account of his sobriety, the Bishop of Oxford [Dr. John Fell, Dean of Christ Church] having several times, as I am informed, threatened to expel him Christ Church, though he seems willing now to have

him preferred to us, where he hath got friends by drinking and swaggering with them till four o'clock in the morning.'

King Charles had also 'recommended' this youth, who was the son of one of his most trusted friends, the Earl of Winchelsea.

'The very tavern over the way was afraid of his coming to be so near a neighbour to them, and the poor woman expressed her trouble at it, who had suffered from his rudeness. And your Grace hath done me the greatest kindness I could have desired by staving off from me one whom the Faction pitched upon as the fittest person to strengthen them and to break the discipline of the College, of which the sober men were as sensible as myself.'

The Visitor, it will be thus seen, had once more accepted the devolution; and he soon after appointed those whom the Warden recommended.

Light at last breaks in upon the darkness. On November 19, 1681, Mr. Roger North writes that—

'Even now the cause of the Mandamus to the Warden of All Souls came on to be heard, and upon a full debate of it the Court hath adjudged the Return to be good, and dismissed the complainants. And the Judges took notice of the corrupt custom that hath obtained there to buy and sell Fellowships, not without honourable reflections upon his Grace's pious endeavours to abolish it.'

And now the Warden (November 22, 1681) sings his pæan:—

'I most heartily thank God that he hath been pleased to make you a blessing to us, even against our own will, in giving you not only a heart, courage, and ability to manage your pious enterprise of reforming us in so corrupt an age as this is, but hath likewise crowned it with success and victory both at Westminster and Whitehall in the midst of the greatest opposition; so that I now trust in God you have done that great work in the attempt whereof so many of your predecessors have hitherto failed and left to you the honour and praise of perfecting it.'

This allusion to Whitehall is explained in the same letter. The 'faction' had been 'endeavouring to raise up friends at Court.'

The immediate result of the legal decision was that the Probationers were admitted 'with a full consent of the Fellows. I hope your Grace hath now restored to us righteousness and peace together.'

'The sentence given at the King's Bench and your Grace's prevailing to stop the Mandamuses at Court hath so subdued the unruly spirits, that I think there is no fear of the raising of new storms. I am heartily glad that both my Lord Chancellor and my Lord Chief Justice are so well satisfied with your Grace's just and pious proceedings. I am sure that not only all good men, but the whole University in general do bless God and you for the reformation you have wrought among us; yea, those very persons who struggled so much against it do now seem to me to be satisfied and rejoice in it. . . My Lord, it is your great humility and piety together that makes you condescend to consider us among the multitude of your greater businesses, . . .' &c. &c., with more apologies for having so often intruded on him.

The good Warden's letter here, as in some other instances, strikes the reader as somewhat obsequious; but everything in that age was more pronounced than in modern times, the respect for superiors more demonstrative, the contempt for an opponent more openly expressed; politics and partisanship were but one remove as yet from civil war. But it was impossible to exaggerate the importance of what was now done not only to the College, but as regards other institutions which were in much the same condition. At last quirks and quibbles had come to an end, and things were called by their right names. A fresh start had been given to a grand foundation which had sadly fallen below what the Founder intended. A weight was removed from the consciences of many a man who had succumbed to what he could not singly oppose. And this result had been achieved by the action of the very machinery which the Founder had provided for

such emergencies! The Courts of Law had also stood to their duty, which was too often not the case in this age, and the King himself had allowed the battle to be fought out without taking advantage of the opportunity, as his successor would certainly have done. It was just in time. If the struggle had been delayed till Charles was dead, the College would no doubt have been a grievous sufferer at James's hands, and no one can say how long the abuse would have continued. The four years which intervened broke the neck of 'corrupt Resignations;' and though we shall see that constant vigilance was required, we shall also find conclusive evidence that the victory was complete. It was only necessary to get enough fresh blood into the College to provide a mutual support amongst the new-comers; and it was not likely that the old evil, after such an exposure, should recur.

Sancroft's letter, written at the end of this year (December 29, 1681), in full contemplation of the importance of the victory just won, is creditable to his good sense. He has been asked to interpret the Statute on the election of Bursars, and says:—

'I require you to consider well beforehand and make a just and impartial estimate what reception 'tis like to meet with from the greater part of your Society. For since we gained the port I find myself so much at ease that I would be very unwilling without great necessity to hazard the raising of new storms and broils, or give the most froward amongst you any cause of just complaint or plausible pretence for it. So long as we are tolerably well, let us sit down and be quiet; and not run a risk of making things much worse by endeavouring to make them a little better[1].'

The policy of conciliation is now apparent throughout. The Fellows even hope to regain some of their power by means of seduction. Boreas has failed; they will try Apollo. The Warden is getting old; his son is 16½, just below the statutable age; they offer to elect him a Fellow, and quote

[1] Archives.

the evil precedent of James the First's reign, when the son of Albericus Gentilis was forced upon the College, though below the required age. But the Warden is firm, and refuses to cause such a scandal. Next year, his son being old enough, he consents. We are not told whether the youth approved himself worthy after examination, but we may charitably hope so. A merciful view is also this year admitted of the resignation of Fellows, which one might think would have been more in place during the struggle; but possibly it would not then have been appreciated. The Warden reports that it is voted and approved that £20 is to be given to each Fellow on resigning, by way of starting him on his new career, and to make him easy for the loss of the '£200' he had hitherto had 'on resignation.' By the light of this letter the former one from the twenty-four Fellows receives a painful illustration. The new state of things is also made more tolerable by an arrangement, entered into with the consent of the Visitor, that all Members of the College shall in future have a rateable proportion of their salary and allowances up to the time of their departure[1].

To judge by an entry in the Life of Wood, the loyalty of the College was conspicuous at this period. The abolition of corrupt Resignations had no effect whatever in checking it; though it might have been demonstrated in a more seemly fashion. Writing on November 27, 1682, Wood tells us:—

'Bonfires [were] made in several parishes in Oxford by the Tory party after supper, for joy that the lord Norris was made earl of Abingdon, with the ringing of bells; several Colleges had bonfires, All Souls especially; about 11 at night they brought out a barrel of beer out of the cellar, and drank it in healths on their knees to the duke of York and earl of Abingdon, out of the buckets that hung

[1] Archives.

up in the hall. They got about twenty of the trained bands of Oxford who discharged at the drinking of every health; they had wine in great plenty from the tavern over the way, guarded by a file of musqueteers; they had a drummer that beat round the College quadrangle and at the gate: Dr. Clotterbuck the captain that ordered these matters.'

A little later in the same year these uproarious habits shewed themselves in a far more objectionable way;—three of the Fellows violently insisting upon admission into the Mitre at an untimely hour so frightened the landlady that she 'fell into fits and died at three in the morning[1].' The Warden had evidently a difficult crew to manage.

Letters of later dates, thanking the Visitor from time to time for interfering to protect the College from the King's Mandamus, continue to shew the consistency of Warden Jeames; though there seems to be one occasion, in the year before his death, when even he faltered. In a letter to Sancroft, in 1685, he says that he means to favour the Earl of Lindsey's son, as he believes the College also will, in honour of his uncle, 'that brave general who lost his life in so good a cause;' it would be unbeseeming in him to oppose it, 'since I myself was in arms for the same good King.' This is, it must be allowed, a sad falling-off, after such a struggle for purity of elections, and such a victory. But his foot is in the grave. Soon afterwards he tells his friend, the Visitor, that he is so feeble that 'even his horse-litter is useless to him; he can only stir out to Chapel and St. Mary's.' The memory of the 'good King and his brave general' appears to survive all College struggles and all victories of later days; it seems a sufficient excuse for anything.

The last letter he wrote betrays also the extreme pressure that was put upon the College once more in the last days

[1] Life of Wood.

of Charles and the first of James. If internal evils had been suppressed, external tyranny seemed about to be equally fatal. Sancroft's power was now gone, as Sheldon's had departed years before his death. He had refused to be made the tool of the King and had been forbidden the Court. Warden Jeames deplores the loss of his assistance. He had left the College 'forlorn.' The Warden is grateful that he does not act 'as some in greater places do. The King, I fear, has granted a Mandamus for one.' He fears the College must give way. It is a melancholy letter, and leaves the reflection that the old man was 'mercifully taken away from the evil to come.' He was now too old and ill to commence a fresh struggle, and the College required a firm hand. Nor if he had survived the short term of years which were sufficient to enable James to rush upon his destruction, would he have been much consoled by a Revolution which ejected the son, however erring, of the 'good King' for whom he had, in early manhood, suffered so much.

Warden Jeames died in 1686, having earned the grateful memory of all reformers. He had had a rough task to perform, and on the whole he performed it well. We connect him with another good man, Dolben, Archbishop of York, whose sister he married. On his monument in All Souls Chapel are the well-deserved words:—'*Vere custos . . . vivus amicos habuit homines, moriens conscientiam, mortuus Deum.*'

CHAPTER XVI.

James the Second and Warden Finch.

1686—1688.

The Dispensing Power—All Souls in dread of a Papist Warden —Dryden the Poet—Mandate to Finch—Finch as a rioter— Lord Chancellor Finch—Finch as a Volunteer—His excuses to Sancroft—Sancroft's conduct to James and Finch — His character.

THE anxiety felt at All Souls by the better class of Fellows as to the appointment of a new Warden was intense. Warden Jeames had died at a most critical moment. James the Second had just been long enough on the throne to mature his schemes. He had triumphed over his enemies at Sedgemoor; he now felt himself secure, and had already cast away the restraints of prudence. For many years he had been profoundly studying the question how to bring the three kingdoms under the Papal yoke. The secret was found in the 'Dispensing Power.' No Constitutional changes could be made to effect his purpose; but the Dispensing Power, though sufficiently condemned by Parliament in 1662 and 1672, had never been definitely abolished. Lawyers had still asserted its efficacy; and the infatuated monarch could not perceive the difference between a theoretical power which the nation, by a tacit understanding, had left unrepealed because unused, and a practical use of that power which stultified the whole Constitution. By opening this floodgate, inch by inch, the

barrier of British freedom would be undermined, and every obstacle to his despotic will would be swept away.

Thus the King seized every opportunity he could find for the exercise of this power, and, where openings could not be found naturally, he made them. All Souls was only in the same condition as all other institutions, only a small part of a great machine. Oxford itself was, of all places, exactly that which it seemed most desirable to imbue as speedily as possible with the idea that the Crown was the absolute disposer of all appointments great and small, that all independent authorities subordinate to itself were temporary and irregular, and that the time had come for the true lawful Governor of the Realm to step in and exercise at last his just rights. Oxford had been the one ever-faithful centre of loyalty towards his father; why should it not be so to him? Why should he not from Oxford send forth his officers in all directions and gradually influence the whole country? His father might have done much more with his resources if he had only gone far enough. No such timidity should impede his proceedings.

There was too much excuse for these self-deceiving schemes. We have seen at All Souls a specimen of truly 'besotted loyalty;' it was only a coarse type of what was common enough elsewhere. That loyalty did not in reality express so much the devotion to a person or a family as something deeper and more pungent. It was a vehement party cry, the expression of hatred for the principles which flourished in the Commonwealth, a defiance of those who would, it was believed, once more, in overthrowing Church and King, drown England in blood, and destroy all that was truly national.

James was the last person to understand this. One may be as far as possible from sympathy with Jacobitism, and yet unable to repress a feeling of pity for the short-sighted prince who found out too late how completely he had mistaken the true state of affairs. To him the conduct of the Church and the Universities, and then, after they had led the way, of

the aristocracy and the Tory party at large, seemed the most amazing inconsistency, the vilest treachery. Here were people upholding his Divine Right at one place, drinking his health on their knees at another, fighting for him against Monmouth,—and yet when he asked them to give a practical turn to their theories, they turned round and proved themselves as bad as all the rest! In the almost-insanity which marked some of James's proceedings we are now learning to trace the distraction caused by such heart-rending disappointments.

The time, however, had not yet come for even the faintest perception of the true state of affairs. The Church had indeed, as represented by Sancroft and others, begun to declare itself; but there was nothing as yet to shew that the nation would go with the official leaders of the Establishment; while, on the other hand, men like Dryden, Edward Hales, Obadiah Walker, and scores of less known persons,—among others Matthew Tindal of All Souls,—were suddenly discovering that the religion of the Sovereign was the true one, and attempting to atone, in every fashion suitable to the accomplishments of each, for their previous blindness and stupidity. Every encouragement was given to the ingenuous persons who were undergoing this process of enlightenment. One obtains the Deanery of Christ Church, others receive 'dispensations' for establishing Romanist Services in College, or for holding offices hitherto denied to Papists. At the same time monks and friars are openly established in London, Romanist chapels built, Jesuit schools opened. England was to be converted at a leap.

It was then no wonder that at All Souls, where the Stuart mandates were only too familiar, no one seems to have thought it worth while to attempt to evade inevitable fate. No such infraction of the College liberties had indeed yet taken place, except under the Long Parliament, when Sheldon was expelled by Pembroke and his 'band of mus-

queteers,' Palmer, the friend of Cromwell, being substituted in his place by violence. When James the First attempted to dispense with the Statutes and force his nominee upon the College, Abbot, the Visitor, had contrived to shake his resolution and save the rights of All Souls. But who could expect anything from Sancroft now? He was in disgrace, and the King's confidence was given to Petre, Talbot, Castlemaine, and the rest of his secret Council of Papists. The utmost that could be hoped for was that the Mandate might be bestowed upon some member of the Church of England, and not upon a Papist! Those who have followed the history of the College thus far, and traced with satisfaction its faithful reflection of English spirit, even in its worst times, will admit that no condemnation of James's demoralising policy could be more eloquent than the conduct of All Souls on this occasion.

We do indeed distinguish one faint note of a better kind in a letter from George Clarke to Dr. Paman, Sancroft's official, in which he begs him to lose not a moment in informing the Visitor that Dr. Jeames is dying. since

'we fear that our over-the-way friend Mr. Walker' [Obadiah Walker, Master of University College] 'will make him a successor, and by all that we can guess Mr. Stapleton of our House is the person for whom he designs to get a Mandate.—P.S. On Sunday Mr. Bernard of Brasenose had a Mandate to be Moral Philosophy Lecturer, which he shewed the Vice-Chancellor[1].'

We have mentioned this 'Milo Stapylton' (as he appears in the Register) before[2], and as we shall not recur to his name, it may be remarked that though he at this time probably gave grounds for suspicion that he was a concealed, or intending Papist, Finch vindicates him from

[1] Tanner MSS. vol. 30. fol. 171. [2] p. 268.

the charge[1], and a notice of him in his old age by Hearne, prejudiced in his favour no doubt, as his Jacobite opinions fell in with the writer's, shews that he was an ornament to his College:—'He is a very worthy, learned Divine,' and—speaking of some translations of his made from the Latin in 1684, he says,—'I wish he had published other things, considering his abilities.' He is 'strangely concerned at the woful decay of discipline in our University[2].' When was it otherwise with ancient Oxonians? And yet their querulous remonstrances pass on wholesome traditions, and do real service!

But even the above expression of Clarke's desire for the interposition of the Visitor must not be taken for more than it is worth, if Finch is to be believed—and in this case it seems he may be—when he tells Archbishop Tenison, some years later (1695), that Clarke was one of those who begged him to obtain a Mandate in order to keep out the Papists[3]. In that letter Finch informs Tenison that Dr. Tindal of All Souls, and Dr. Watson (afterwards, in 1687, made Bishop of St. David's), were applicants as well as himself to the King for a Mandate to become Warden of All Souls; and in his letter to Sancroft published by Gutch from the Archives of the College[4], he says 'the College feared a man of Dryden's sort, since he so lately stood so fair to preside over them.' Dryden, we know, was at this time closely besieging the King, whose cause he had long supported, for pecuniary assistance; and All Souls would have suited him well. His biographers have not yet noticed that he 'stood so fair' for this post. Hearne also tells us that Dr. Plot, the antiquarian, who was also a Papist, was a suitor to James for a Mandate to be Warden, but that 'Finch got the start of him[5].'

[1] Tanner MSS. vol. 29. fol. 36. [2] Diary; 127. 27, sub ann. 1730.
[3] Cod. 688. art. 50: Lambeth Library.
[4] Collectanea Curiosa, vol. ii. p. 49. [5] Reliq. Hearn. i. 65.

'Finch got the start of him!' It was a race, a most disreputable race; and a most disreputable man 'got the start.' We must now give some account of him. It is not the fact that several persons made interest with, or made themselves known to, the giver of an office, which excites indignation in the present case,—for this every one who stands for an office must do, either through himself or through others, by 'testimonials' or letters,—but that an elective office should be sought at the hands of a non-elector who set aside the electors, that an office which by the laws of the land belonged only to a member of the Church of England should be applied for by Papists avowed or supposed. Clarke no doubt discovered, as soon as his Warden was dead, that it was no time to appeal to Visitors;—the one thing to do was to save the College from a Papist; and the rest of the Fellows shared his feeling. We read of no opposition to Finch, no appeal to Sancroft, no request to the King to hold his hand!

There were reasons for Finch's success with James, and for his popularity with a certain portion of the Fellows. We have already seen that Warden Jeames had been indignant with the Dean of Christ Church for recommending him to favourable consideration for a Fellowship, that the Fellows had given their votes for him, the Warden his Veto, and that Sancroft had not only confirmed the Warden's act, but prevailed on Charles to withhold a Mandate in his favour. There was something to be said for Leopold William Finch. The son of a personal friend of Charles the Second, and born while his father was Ambassador at the Porte, an Emperor and a King had been his sponsors at the font: his uncle was Lord Chancellor; no young man entered life under higher auspices. He was sent to Christ Church,—already, as we say, a 'spoilt child.' While there he was the ready leader of every frolic; and yet his education and abilities were above the average. He publishes books. A

Latin poem of his is to be found along with those of the most distinguished persons of the age in *Musarum Anglicanarum Analecta;* he wrote a Life of Hannibal, and translated Cornelius Nepos. Perhaps the public did not much recognise the value of his books; but he is at least the only Warden of All Souls, if we except the unfortunate Moket, who has been so rash as to become an author. His letters are clever, and always plausible; many of them are to be found scattered about in different collections of the day; and we shall see that he had many warm literary friends. Soon after his election to his All Souls Fellowship, his old opponent, Warden Jeames, tells Sancroft what a capital speech he had made in the name of the College when the Duke and Duchess of York and the Princess Anne paid a visit to All Souls. His manners were no doubt courtly and agreeable. He was undeniably a 'good fellow,' a 'good companion.' We read on his monument the words,—considering the history of his whole connection with the College they read like a satire,—'*custos dilectissimus.*'

His zeal for the Tory party was excessive. He was no doubt sincere. His manner of shewing it was various. He proved it when drunk and sober, in literary and military exploits. It is in the first of these conditions that he becomes an historical character. The occasion was in 1681, when party feeling was at its utmost height all over England, and especially at Oxford, where the Parliament had just been held, attended by Shaftesbury and his friends with armed followers, and where Charles had thrown himself on the loyalty of England to his House by rejecting the petition of the Exclusionists, and promptly dissolving the Parliament. Some faint excuse then must be made for the rioters, especially as they were very young; but they might have chosen a more manly mode of shewing their loyalty, even in their cups. Anthony Wood reports the matter thus:—

'The outrage committed on the old Lady Lovelace at Hunt's door against the Crown Tavern between 8 and 9 at night by Mr. Leopold Finch, son of the Earl of Winchelsea, Lord Buckeley, and 2 gentlemen commoners, Luttrell one, and 4 scholars, all of Christ Church: they plucked her out of her coach, and called her old protesting — broke windows that night, and did many other misdemeanours. . . . The Bishop [Fell, Dean of Christ Church] extremely troubled at it. They had been drinking at the Crown Tavern[1].'

Warden Jeames gives precisely the same account of the matter to Sancroft, and adds,—

'that Mr. Finch, the ringleader, was sent to the Lady's house at Water Eaton, to beg her pardon: he hath been revelling all nights here in the College (whilst I was in the country) to the great disturbance of the soberer party; and on All Souls Day he was ranting with the faction both day and night till morning at the Tavern over against my lodgings, where, on purpose to affront me, they made such rude, triumphant shouts that (till I sent them word I would fetch the Vice-Chancellor to pull them out) I could have no rest in my house. All this I can certainly prove. . . . It is apparent enough that he expected to be brought in with a high hand[2].'

Finch's election was, however, only delayed for a year, and the process by which the Archbishop and the Warden came to a better feeling about the loyal rioter is interesting. The correspondence between the former and the Dean of Christ Church has been preserved; but is not worth reproducing. From it we simply gather that the penitent youth had found the soft place in the Dean's heart, and was forgiven. 'Mr. Finch,' says he, 'is liable to many and no small failings, yet I do not despair of him, nor take him to be that flagitious man which he is represented to be.' Warden Jeames is also propitiated. 'Before I would consent to choose him,' he tells Sancroft, 'he did solemnly promise to live studiously and

[1] Life, sub. ann. 1681. [2] Tanner MSS. vol. 340.

gularly in the College, and professed that he did wholly vote himself to the clergy[1].' But we might still have en surprised at the Archbishop's accepting this new-born votion to the 'clergy' as a guarantee of sobriety if we l not possess a very characteristic letter and reply which sed upon the subject between Sancroft and the Earl of ttingham. From the first may be taken the following ract:—

Upon the whole matter, my lord, 'tis evident to me that ave very little share in your affection or esteem. Most tainly you must perfectly despise the man whom you could nk fit to use at this rate. I will only desire you to turn tables, and to take the Golden Rule into your hands—*d tibi non vis &c.*, and then for once give me leave to put case. If there be a place in your Chancery within your ation into which I should desire to bring a kinsman of ie really as unfit for it as I really believe—and I cannot p it—your kinsman to be for what he pretended to from , and if I were as great and as high and as powerful as ı are now, and should make use of those advantages to ce you first to make it void and then to confer it upon a son unqualified—which I am assured I should no more ve attempted than to break into an house or rob upon a ghway—I will not ask you,—ask your own heart if you ase,—how you would have taken it. Not so calmly, I ubt, nor so patiently as, I thank God, I do. For I have ways, and have still that honour and esteem, and—if you ill allow me to use a word I never throw away—that love r your person which keeps me still in preparation to do you l that service which may fall justly and decently within the or powers of, my Lord,

'Your Lordship's affectionate friend and servant,

'W. C.[2]'

'Dec. 2, 1681.'

On the same day the Lord Chancellor replied as follows:—

'My Lord,—I was never in my life more surprised than ith your Grace's letter; and when I call myself to the

[1] Tanner MSS. vol. 340.

[2] Rough draught in Tanner MSS. vol. 36. fol. 182.

strictest account I cannot charge myself with anything that deserves so severe a reprehension as to be told that I want either affection or esteem for your person and place, or that I have behaved myself like one that perfectly despises you.

'My Lord, this is a high crime, and such a crime as I would not forgive my own son if he were guilty of it. I thank God I never treated any man so, much less should I do it to the Archbishop of Canterbury. Let us examine the grounds of this misapprehension. It seems I did importune your Grace in conjunction with my Lord Halifax, and in presence of the King, for a Fellowship in All Souls, and your Grace, for the most allowable reasons in the world, refused it. Hath the King ever been moved in it again? Have any inconveniences happened to your Grace by this refusal? Do not all men acquiesce under it? For my part I do so much that if the place were in my donation I would not give it him. Where then is the disrespect? My Lord, there is no living at Court if we may not be allowed to be importunate for a relation, even then when upon better reasons given we are content to be denied. And yet after all this, if your Grace think I have offended you I ask you pardon with all my heart. For no man alive is more devoted to your person and order than I am, and I beg your Grace's blessing so and no otherwise than as I am, my Lord,

'Your Grace's most affectionate, humble servant,

'NOTTINGHAM, C.[1]'

Sancroft's heart must have been made of stone if he had not, after this eloquent and generous letter, been disposed to take a favourable view of the recommendations from Christ Church and All Souls which have been noticed. On the view taken at Court as to the method by which All Souls Fellowships might be obtained we need not further enlarge, as previous chapters have sufficiently prepared us for it. Enough that Finch obtained twenty-five votes out of the thirty-five available at the election of 1682, and that no further obstruction occurred.

The young Fellow lost no portion of his loyalty as yet. We have seen how well he made his oration on the occasion

[1] Tanner MSS. vol. 36. fol. 184.

of the royal visit to his new College. In the Dedication of his Cornelius Nepos in 1683, he asserts the strongest attachment to the reigning family, rejoices that it 'comes to the Fanatics' turn to hang,' laments the 'plague of Republican principles,' and glories in the gownsmen's 'assertion of one of the most essential principles of the government, the lineal succession, which could neither by the dispensation of the Pope or the power of the Parliament be altered [1].'

Before long he had an opportunity of proving his loyalty in a more practical form.

Monmouth's Rebellion, in 1685, electrified Oxford as it did the rest of England. Once more there was 'mustering in hot haste' and enthusiastic exchanging of the gown for the sword. The University lost not a moment in raising a Troop of Horse and Regiment of Foot under command of Lord Abingdon, the Tory Lord-Lieutenant. Finch instantly stepped to the front, and became Captain of a Company of Scholars, chiefly from All Souls and Merton. These he drilled privately in the quadrangle of the former College for four or five days, after which they were drilled with the rest in Christ Church Meadow. They were probably more forward than the rest, or Finch may have been thought the best officer, or it may have been accident, but Wood, from whom we get this account, tells us that this 'seems to have been the only Company employed [2].' As it happened, the employment was not very arduous; but that was not their fault.

On July 8, Captain Finch sent his drum at 12 at night to summon his men to All Souls; and, soon after, they marched, by the command of Lord Abingdon, to Islip to secure the road to London, and to stop all suspicious persons going thither. They returned on the tenth day, after the news of

[1] Birch's Life of Tillotson, p. 222. [2] Life, sub ann. 1685.

Monmouth's defeat had arrived. The troops were at once disbanded. Rejoicing and jollity succeeded to the fatigues of their short labours. Lord Abingdon invited the University troop to dine with him at Ricot, . . . and they 'came home well fuz'd.' This charge against the gallant 'scholars' is, it must be feared, only too probably just, but certainly we need not assume that the Captain of the All Souls Company failed to set them the example of inebriation. Perhaps we may go out of our way to remark that the City was as loyal as the University; for,—

'Having received certainty of the rebell's defeat, the Mayor and his brethren met at Pennyless Bench about 8 at night, went to prayers in their scarlet at Carfax church, afterwards retired to Pennyless Bench, where there was a bonfire and entertainment for the E. of Abendon and the officers of the militia[1].'

The drum used by Captain Finch is still in the Bursary of All Souls. That and another cost £3. The two drummers received £1 19*s*.

With such claims and such advocates Finch presented himself, on the death of his Warden, a year and a half later, before King James. His letter, excusing himself to Sancroft, gives some account of his proceedings; but it has been printed by Gutch[2], and would be out of place here. It is impossible to read it without a smile. Nothing can be so plausible. It was with the greatest pain and grief that he put such violence on himself as to ask for a Mandate. If he had not obtained it a Papist would. His sole object was 'the good service of the Church and College.' He would not first appear before his College Visitor, for fear of compromising him, but having heard from a friend that 'your Grace was pleased to wink at my proceedings,' he had 'at last possessed himself of that Mandate for which so many particular greate interests had so

[1] Life, sub ann. 1685.

[2] Coll. Cur. ii. 49.

fiercely contested.' He then dilates on the delicacy of feeling he had displayed towards the College after he had obtained his 'preferment.' He has done no 'mean, dishonourable thing,' and he hopes the Primate will 'vouchsafe his good opinion and approbation.'

Nor is the Mandate itself worth giving in detail, since that also was printed from the Archives by Gutch. It is dated January 15, 168$\frac{8}{7}$, just a month later than the still more audacious document infringing English liberties, the Dispensation granted to Massey as Dean of Christ Church[1]; but as Finch was not a Papist, it was only necessary to follow the too well accustomed form, 'any statute, custom or constitution of Our College notwithstanding; with all which we are graciously pleased to dispense in his behalf.' No doubt it must have required all Finch's interest to induce James to forego his cherished scheme of appointing Papists to these posts; but it was much the same thing to accustom Oxford to receive Mandates.

The King was quite safe in assuming the 'ready compliance' of the Fellows. We have seen that there were many reasons why they should make no objection. But it was quite another thing to enable the Warden to assume a legal position. This was a difficulty,—fatal, as it turned out, to the fortunate place-man's peace of mind in the end; for the Fellows plainly saw they could not go through the form of election. That, after the Mandate, would be to violate the College Statutes by their own act, make themselves liable to perjury, and imperil their Fellowships. So they resolve, as the best present solution of the difficulty, to *admit* their youthful Warden without *election*, and to trust to the chapter of accidents for the rest. This was accordingly done. With the rashness of his nature Finch, no doubt, anticipated little difficulty in obtaining help from

[1] Gutch's Coll. Cur. i. 294.

the Visitor to rectify a mere trifling informality. If Archbishop Sancroft would but confirm the appointment all would be easily set right. He had taken no active step against it. He ought to be satisfied that a Papist had been excluded, and a Warden presented to the College of whom it did not disapprove.

This leads us to consider what Archbishop Sancroft's part in the affair was. Every possible effort was made to obtain his Confirmation. A 'Case' is extant in which it is assumed that the very fact of there having been no 'election' lays an obligation on the Visitor to supply the College with a Warden; and a legal document, purporting to be a Confirmation of Finch by Sancroft, is to be found in the copy of All Souls papers from the Tanner MSS. lodged in the College. But the original has been endorsed by Bishop Tanner himself, 'A proposal of Sir Thomas Clarges[1].' And when the whole matter came, as it did subsequently, before various Courts of Law, we find in the Tenison correspondence[2] that Finch himself does not claim any Confirmation or overt act of any kind from the Archbishop. This very Sir Thomas Clarges, a person of some importance, writes to Finch that the Visitor 'considered it a *casus omissus*, and could do nothing in it[3];' which Finch, in his plausible manner, quotes as proving that His Grace's non-Confirmation did not proceed from an unwillingness, but, as he thought, an incapacity of giving it, as 'supposing he had no jurisdiction in the case.' And he declares he could prove that the Archbishop 'much wished the Fellows had chose another man with me' [according to Statute], 'that he might have had an opportunity of complimenting the King in the confirmation of the man he was pleased to name.' Finally, he infers from the fact that he had received

[1] Tanner MSS. vol. 340.

[2] Bibl. Lamb. cod. 688. [3] Ibid.

Sancroft's dispensation to be ordained both deacon and priest *per saltum* that the Visitor had virtually ratified and confirmed his official position.

On the other hand, his opponent, Proast, dwells on the resistance of the Visitor to Lord Weymouth's solicitations that he would confirm Finch, and accounts for his taking no further step in the matter by its having been 'dangerous to question him in King James's time, and at the Revolution he was not capable of doing it[1].'

Both sides thus agree that Sancroft 'did nothing in it.' It would be contrary to all we know of him if he had suffered himself to be persuaded or pressed into confirming an illegal act of James the Second's. The only question is—what were his motives for taking no further steps in the matter? As he so soon afterwards shewed himself insensible to danger when he headed the resistance to James, it could hardly be from fear, as Proast suggests. At the same time we may dismiss the glosses of the pseudo-Warden himself. They are not entitled to much respect.

The Visitor was no doubt resolved to 'wink at it,' to do 'nothing in it.' He was at this time in disgrace, and thus powerless with James, who had but just commenced his overt policy of Dispensations. No one knew how far he would go. The safety of the whole Church was trembling in the balance. There was a worse thing than using the Dispensing Power to force a Protestant into a place. Suppose the King went on to fill up every place with Papists!—as he subsequently did. Was it wise to exasperate him at this moment? Perhaps the best thing would be to leave it quite alone. The time had not yet come. The country would not yet have backed him up in resisting such an appointment as that of Finch. He could not undertake to enter on a fresh struggle with the College without a faithful

[1] Bibl. Lamb. cod. 688.

Warden, like Jeames, to support him. This time the battle would be with the King as well; whereas Charles had stood aside on the last occasion. Nor could he now expect any help from the Law Courts as before. Jeffries had but just been appointed Lord Chancellor as a reward for the 'Bloody Assizes.' What hope was there now for justice?

Such, judging by Sancroft's past transactions with the College as well as by his subsequent conduct, was in all probability his line of reasoning. His forbearance to act was dictated by his characteristic caution and moderation, not by fear. We may believe it would have been nobler, as well as more useful in the end, both to James and the College, if he had at least sent in his protest as Visitor against the infatuated King's high-handed act. To do right at any cost generally turns out well. But those who are not called upon to face the

'Vultus instantis tyranni'

have not much right to condemn one who soon found himself imprisoned by the furious King for leading the resistance to his unconstitutional proceedings at a moment when loud-voiced patriots shrank from the uncomfortable lot of martyrdom. It may be hoped that Englishmen have not even yet ceased to remember what they owe to the Church of England, to Sancroft and his six Suffragans who saved the liberties of their fellow-countrymen.

We shall obtain in the next Chapter one slight passing glance at the Archbishop as he endeavours to save the reckless Warden from the consequences of his erratic conduct, but his connection with his College is now practically at an end. The last link between him and All Souls is the Latin letter from his 'family' addressed to him in prison. Its abundant expressions of profound sympathy are so eloquently rendered that it seems hardly fair to the College to omit it, but space compels. If enthusiastic admiration for a pastor who could brave 'the insults of enemies, the reproaches of courtiers, and

the fierce anger of a King.' in defence of his flock, could encourage the Primate, if quotations from Scripture could nerve him for the conflict, he is supplied to overflowing. He was no doubt better pleased with this letter than he was with a former one[1]; and we may well believe it was somewhat more genuine.

As we now part with Archbishop Sancroft, we may remark that his behaviour in reference to All Souls, hitherto unknown to the public, may fairly be held to bear out the character given of him by his biographer, who himself knew next to nothing of these circumstances. D'Oyly tells us[2], in opposition to the disparaging judgment of Burnet already quoted, that Sancroft owed his selection for the Primacy

'entirely to his character, which pointed him out as the person best qualified to adorn the station. . . . It was afterwards sufficiently proved that the government of the Church could not have been entrusted to one more firm and temperate in the exercise of his authority, more watchful over its general interests, or more intrepid in the defence of its rights and privileges.'

We are not concerned here to discuss the Archbishop's line of conduct at the Revolution. Of any unworthy action in the matter his character has long been cleared. As to the Nonjuring Schism, for which perilous step he, from his position, was mainly responsible, the adhesion of Bishop Ken will always check too harsh a judgment. We can scarcely form a notion in this day of the difficulties under which conscientious men then laboured. Resistance was one thing,—resistance at any cost. The transfer of sovereignty may well have seemed to them quite another, and a different thing. Happily for England there were men who took a more statesmanlike view of the question than Sancroft and Ken! But we must not on that account refuse his just meed of approbation to one who was certainly no unworthy successor

[1] pp. 269, 272. [2] Life of Sancroft, p. 158.

of St. Augustine and St. Elphege, of St. Anselm and Stephen Langton.

Sancroft's is the last case in English history of a Primate whose tenure of office was prematurely or temporarily terminated in consequence of the exigencies of the State, the caprice of Sovereigns, or the violence of Revolutions. He makes the balance even between the Reformed Church of England and the Unreformed Church, as established by the Concordat of William the Conqueror and Lanfranc. Over against Anselm, Becket, Edmund Rich, Winchelsey, and Sudbury,—to mention only the cases where persecution for principles, or mob-violence took place,—stand Cranmer, Grindal, Abbot, Laud, and Sancroft. Such indignities,—painful as they are to contemplate, and shameful as the pages of English history too often are which chronicle them,—are the price paid by Englishmen for the preservation of the spiritual inheritance received from primitive times, for the happy Constitution of Church and State which they now enjoy!

CHAPTER XVII.

All Souls at the Revolution.

1688–1702.

Finch as Warden—All Souls accepts the Revolution—Finch's conflict with Proast—The better side of Finch's character—His account of Queen Mary's death—Dr. George Clarke—His influence at All Souls—Creech, the poet—Tanner, the antiquarian—His connection with Wood—His affection for All Souls—The state of Christ Church and of Oxford generally.

The relation of the College to the general history of the country during the reign of James the Second has not been a very satisfactory object of contemplation. Retribution followed all the actors alike in the matter of Finch's Mandate. As far as one small success could encourage the King to press forward,—and we know how anxiously he watched even the smallest indications of the success of his policy,—he found himself just so far on his way towards the gulf of disappointment and distress into which he was about to plunge. The clever Warden had not long to wait before he found himself engaged by his own act in a struggle with one whom he entirely despised, but who, in consequence of this very success of his in obtaining a Mandate from James, brought him, after a bitter conflict of ten years, on his knees. Not long before he died he

was forced to undergo the humiliation of an absolute resignation of his ill-got Wardenship in order to procure a legal title to it. The Fellows who had promoted his success either from fear of the alternative of a Papist, or from sympathy with a boon companion, found themselves disgraced by a superior officer who, besides other scandals, forgot to pay his debts to the College! Even Sancroft's reputation would have stood higher if he had made some resistance in the case instead of leaving it alone.

In point of fact the three years which preceded the Revolution are the real Revolution. Panic had seized the good; violence and shameless cupidity revelled in their opportunity. But men's eyes were soon opened as they could scarcely have been opened by any other process. The panic was momentary; the gathering cloud of indignation swept all before it, and the effect of the struggle was permanent. It was well for the College of All Souls as for the nation that the ill-treatment which they both received occurred just when and how it did. James's despotic invasion of the rights of the College was the last. Since the Revolution there has been no attempt to interfere with the College elections. Internal freedom from corruption was followed by freedom from external tyranny.

All Souls had experienced the national change of feeling with respect to James in a very decided manner. Jacobitism, however tenaciously rooted in Oxford generally, kept but little hold on the College where some of the noisiest demonstrations in favour of James had taken place. The close connections which had been established for generations between it and the Court exposed it to exactly the same fluctuations as the society of the metropolis; and the Warden whom James had created was not the man to support a falling cause. We cannot indeed blame him any more than multitudes of greater persons at that crisis, but his position exposed him to many bitter observations. Not only had

he owed his place to James, but he had taken a prominent part in the King's reception at Oxford, only a year before the Revolution. We find him, by the side of the Vice-Chancellor, preceding all the rest of the University, in the cavalcade which rode forth to meet the King on his way from Woodstock[1]. Yet we have no reason to doubt the truth of Hearne's remark:—

'This said Finch, who had so great obligations to King James, was one of those heads of Colleges in Oxford who signed an association to stand by the Prince of Orange; and 'tis moreover credibly reported that he was one of the three or four heads who intended, if they could have prevailed with Colleges, to deliver up all the College plate to the said Prince, in order to be employed against their undoubted lord and sovereign King James, who had not then left England[2].'

Whether this last 'report' was more correct than many which reached Hearne, we cannot say; but it is likely enough; and at any rate Finch was rewarded in 1689 for his conduct at the Revolution by a Prebendal Stall at Canterbury, and speedily became a favourite at Court. At the risk of censure for dwelling so long on the career of Warden Finch we must pursue his history a little further, for the sake of the illustration it throws upon the times; and so bring it to an end.

The habits of the Warden were expensive, and he cast about in various directions for means of gratifying them. He had not long been admitted to the Wardenship of All Souls when the Camden Professorship of Ancient History fell vacant, and he determined to stand for it against the celebrated Dodwell;—who however obtained it by a narrow majority. So narrow was the majority that the Warden could put his hand on the very man who had

[1] Wood's Life, sub ann. 1687.

[2] Diary, 5. 262; Reliq. Hearn. i. 65.

robbed him of his prize. He had made sure of his own College at least; but one Jonas Proast, a Chaplain of All Souls, had actually voted against him, and persuaded, as Finch asserted, two of the Fellows to do the same! This last accusation Proast denied, but surely one would suppose that even in James's reign a man's 'vote and interest' were his own. Not so. With a promptitude more befitting the camp than the cloister, Finch, on the very evening of his defeat, then and there summarily dismissed the Chaplain from his office for having taken part against his Warden. He declared afterwards, by way of excuse, that he was instigated to this act by some of the Fellows; and no doubt he had a majority with him in the affair; but what did that matter?

He had however acted unwisely as well as unjustly. Proast was a man of high character and resolute spirit,—a far superior man to his Warden, though poor. He appeals to Sancroft, who requests two Bishops then in Oxford to investigate the matter. These are Lloyd, of St. Asaph, one of the ablest of the 'Seven Bishops,' just then about to be put to the test; the other, the Bishop of Sodor and Man. Both report against Finch, having failed to make the slightest impression on him. The last-named Prelate says,—'I carried your Grace's message to the Warden,'—but in vain. The Bishop of St. Asaph remarks that the case of the Chaplains of All Souls is indeed wretched if they are nothing but '*conductitii*,' hired men of the Warden's, and that it would be especially hard, in the instance of the present Warden, if they are to be turned out into the wide world whenever they vote against him on his standing for a Professorship, 'as he must stand for all, to supply the necessities into which he has brought himself, not altogether by buying books[1].' The Warden himself on his part tells Sancroft that he

[1] Tanner MSS. vol. 340.

cannot reinstate a man who has been so unmannerly as to call him *prætensum custodem*, nor put such an affront upon the College as to look over his taking part against his Warden. 'If he is our Chaplaine I cannot be his Warden[1].' It was an irreconcilable quarrel.

Sancroft was soon afterwards sent to the Tower; and in the vicissitudes of the times the poor Chaplain found it an extremely hard matter to obtain justice.

We should feel less interest in the case if we did not discover from every quarter but his own College (though he had friends there) the highest testimony to Proast's worth. Bishop Lloyd speaks of him as 'a most exemplary man, a learned man and industrious, an ornament to his College[2].' Tanner speaks of him affectionately[3]. Hearne calls him 'a worthy, learned, and conscientious man,'—'a truly honest, wise man and a good scholar[4].' He wrote a good 'Defence' of the Fellows of Magdalen in their resistance to James; he afterwards became Archdeacon of Berks, and was one of the first promoters of the Society for the Propagation of the Gospel. Bishop Burnet recommended him for Deputy of that Society in the Sarum diocese[5].

The Dean and Chapter of Canterbury are the Visitors of All Souls in a vacancy of the Primacy. To them Proast appealed in vain. As soon as Tillotson succeeds to the Metropolitan See the Chaplain lays his case before him; but the new Primate is most dilatory in the matter. It is not till 1694 that he decides; and then in Proast's favour. He is to be reinstated. Hearne justly makes this delay a charge against the Archbishop. In one of the last entries made by Wood in his 'Life' he mentions the restoration of the Chaplain 'to his chamber and commons, from which, for some years before, he had been

[1] Tanner MSS. vol. 340.
[2] Ibid.
[3] Ballard MSS. 4. 55.
[4] Diary, 5. 265; 24. 97.
[5] Minutes of S. P. G.

unjustly deprived by the new Warden[1].' Tillotson however would make no order for payment of arrears; and this, together with his delay, leads us to suspect that there was some political partisanship in the case. Probably Proast laboured under suspicion of being a Nonjuror in sentiment; and Finch's interest was undoubtedly great. The undaunted Chaplain now took his case before the Civil tribunals, but could obtain no redress either from the Privy Council or at Westminster. At last, on Tenison's succeeding Tillotson, a fresh appeal to his Visitor was successful. It had taken him ten years to get the most obvious justice! But by this time (1698) Finch was well understood. From the 'Case of Proast,' and from the correspondence at Lambeth[2], we perceive that the strong point for the Chaplain was not so much the injustice of the expulsion itself, on which he had at first very naturally insisted, nor the Warden's power to expel him, which he disputed; but that Finch was no Warden at all. He was simply *pseudo-custos*, and, instead of expelling his Chaplain, should be himself turned out of doors for accepting James's Mandate!

Times have changed indeed! Finch can no longer hold out. The affair is now no longer scandalous only, but dangerous. He is at last willing to accept a compromise. Proast is to receive £100, and his rights are to remain unquestioned: on the other hand the Warden's false position is to be remedied. It is effected as follows. The office of Warden is declared vacant, and the Fellows proceed to election, but by previous arrangement do not elect. Thereupon the appointment devolves upon the Visitor, who nominates Finch[3]. The foul stain of the Mandate is at length wiped out! The memory of Archdeacon Proast ought surely to be held sacred by the College!

[1] Life, sub ann. 1694.

[2] College Records.

[3] Cod. 688.

The Warden has reached a port of safety, but his troubles increase. The very next year the Visitor is obliged to take notice of the serious fact that the Warden of All Souls is hopelessly in debt to the College; and finds it necessary to interfere in a manner not usual, we may charitably hope, in the case of Heads of Houses. He subjects him to the ignominy of a forced limitation of his Battels to a very moderate amount until his debts are paid[1]!

He survives the disgrace three years, dying in 1702, while as yet scarcely in the prime of life,—worn out, it would seem, with complaints brought on by his way of living. A well-authenticated tradition reports that bailiffs were in the Lodgings at the time of his decease. A subscription was promptly raised among his friends to bury him, but his family intervened[2]. The College had, it is plain, pecuniary as well as other reasons for remembering their '*Custos dilectissimus*.' Thus ended the career of one whose case is as exceptional among the Wardens of All Souls as that of certain soldier-prelates who might be named in the august lists of English Diocesans.

And yet though these facts stand out against Leopold Finch, and though letters may be seen which speak of his intemperance and excesses while Warden[3], it is but right to remark that he did not appear in this light to many of his contemporaries. The exceptionally high respectability of his family, the position he held at Court (he was named as a probable Chaplain to Queen Anne[4]), the friendship of some of the most distinguished men of the day, his agreeable manners and decided abilities procured forgiveness for what passed no doubt in that convivial age for little more than weak irregularity. Past Fellows of the College like Norris dedicate books to him with praise of his 'personal worth.' He prides himself on withstanding in the matter of elections the 'highest

[1] College Records.
[2] Ballard MSS. 32. 170.
[3] Tanner MSS. vol. 21.
[4] Ballard MSS. 7. 54.

temptations to be corrupted,' and we may believe him. He is indeed accused to Tenison of 'overawing and packing the Fellows[1],' but he maintains that he only tried to prevent the Seniors 'awing' the Juniors. At any rate he makes every exertion for the election of the famous Tanner[2] from a Chaplaincy to a Fellowship,—a case of pure merit, and a favour Tanner always most gratefully acknowledged[3]. His letters to the celebrated Dr. Charlett, Master of University, the centre of the antiquarian correspondence of the day, are most creditable to his activity and intelligence. At one time he is assisting Sir Henry Sheers, 'who is about to prove the rotation of the earth round its axis and the gravitation of bodies proceeding from that hypothesis[4];' at another taking the lead in procuring a splendid edition of Euclid. A Mr. Worseley speaks of him as a 'worthy gentleman whose loss would be felt by the whole nation[5],' since he is a 'man of courage, integrity, learning and religion;' and a Mr. Moore laments his death in much the same terms[6].

We may conclude our notice of Finch by transcribing his interesting letter on the death of Queen Mary. He had apparently only taken Holy Orders because he was obliged by the Statutes, having put it off till he had been Warden very nearly the whole of the year of grace permitted by Statute, and then persuading Sancroft, as we have seen, to ordain him deacon and priest at once. But he was none the less acceptable as a Court clergyman, and he seems to have been a Proctor in Convocation during one or other of its Sessions in William's reign. He was selected to preach the University Sermon on the King's visit to Oxford, and was so much in his confidence as to be present at the scene which Macaulay has graphically reproduced for us in modern times.

[1] Lamb. Lib., cod. 939. 20.
[2] Ballard MSS. 5. 60.
[3] Ballard MSS. 4. 73.
[4] Ibid. 20. 1.
[5] Ibid. 39. 15.
[6] Ibid. 33. 170.

'I am a very unfortunate man in giving you the worst news in the world, for I can tell you that before this can come to you the best Queen England ever had will be dead. The King's concern for her condition is so great that it is near distraction. Our friend' [Dr. Radcliffe no doubt] 'has done all that man can do, and I believe His Majesty is well satisfied with his skill and diligence, though his concern for the great loss disturbs him to the last degree. In fine, never was so universal a melancholy known. The Queen has behaved herself with all the courage and calmness imaginable, never being in any concern but when she found the King in his great passions of grief, as she often told him, being herself as easy and contented as ever anybody was. She received the Sacrament this afternoon, and had done so yesterday while I was there, all things being prepared by the Archbishop, but she was a little light-headed, and it was judged impracticable. I shall soon see you, and shall be able to add more melancholy circumstances. God preserve the King, and under him us!

'Yours, affectionately, L. G. FINCH[1].'

His heart, as we should now say, was evidently 'in the right place,' when he could write so good a letter as this; and it quite enables us to understand how it was he had so many friends. His two-sided character neither was indeed, nor is, any isolated phenomenon; and it at least helps us to understand how difficult it is to get at the truth in dealing with the past. But the original mistake of thrusting a young man of this sort into the Headship of a College could not but produce effects which were beyond the cure of a mere rectification of his legal position. A brilliant man of convivial habits, impulsive disposition, and a 'tendency to indebtedness,' could not be expected either to reform abuses, or to infuse a high tone into a Society which was still heaving with many a struggle, and naturally on the watch for inconsistencies on the part of its superior. It was exactly the occasion for the formation of a regular party of men of loose habits, and in which the doctrines of a man like Matthew Tindal, who soon exchanged his short and suspicious adherence to Romanism

[1] Ballard MSS. 20. 2.

for the peculiar tenets with which his name is connected, would find supporters. A severe task was left to his successor by the *custos dilectissimus*.

And yet, as the College has a very distinguished history during the reigns of William and Mary and of Anne, we shall naturally look about for the men who supplied the steadying balance, the influences which kept the superior class of Fellows together. We have seen that the College made a bound the moment it was set free from the self-imposed fetters of corrupt elections, and how in the very process of the struggle with Sancroft it was fortunate enough to enrol George Clarke, John Norris, and Miles Stapylton among its members. It soon afterwards elected Thomas Creech, Bernard Gardiner, Nathaniel Lloyd, Christopher Codrington, Thomas Tanner, and Dodington Grevile. These all became men of distinction; no other period of twenty years in the College history, except perhaps at the Renaissance and in the reign of Elizabeth, has anything to compare with it. Scions of well-known families—Digges, Bertie, Powys, Rivers, Luttrell, Mews, Vernon, Norreys, Chicheley, Adderley, Kinaston—crowd in during the age of the Revolution.

We cannot assign the place of each of these in the College divisions, which we shall have to trace in two distinct streams hereafter; but it was no doubt among some of the Fellows whose names have been mentioned that the beneficent influence of George Clarke chiefly prevailed. It is to him, during his long tenure of his Fellowship—fifty-six years—that we turn for an opinion, wherever we can find it, on College difficulties. His benefactions have still kept his memory green and fresh in the minds of his successors. This will be therefore the place to say something about so good and wise a man.

We connect George Clarke, the All Souls 'Jurist' and D.C.L., commonly known as 'Dr. Clarke,' with a more various experience of public official life than any member of the College in the whole of its history, except perhaps the

first Warden, Andrewe, who contrived to be equally useful to monarchs whose families were not only at variance, but in deadly conflict, and Sir John Mason and Sir William Petre, who served four Tudor Sovereigns continuously through every fluctuation of the Reformation. George Clarke was the Minister of the two Kings who preceded the Revolution, and of all the rest of the Stuart family who were placed by that Revolution on the English throne. He was Judge-Advocate-General to Charles the Second, James the Second, and William and Mary, Secretary of War to William the Third, Secretary to Prince George of Denmark, and a Lord of the Admiralty in Queen Anne's reign. Nor have we any ground for accusing him of want of principle in this continuity of public service in such times. Party government had commenced, and a statesman could hold office without sacrifice of principle under Sovereigns the most opposed.

George Clarke was the son of Sir William Clarke, of whom we only know that he was buried at Harwich. The Fellow of All Souls entered public life very soon after his admission to the College, and sat in Parliament for more places than one before he became Member for the University. To the latter office he was elected no less than five different times, once at least, if not oftener, unanimously. He was no doubt recommended to both Charles and James by his courtly manners,—*moribus elegantissimus*, as we read on his monument,—as well as by the opinion entertained of his abilities and high character. He was all through his life devoted to the cause of 'Church and King,' but he was nevertheless an ardent well-wisher to the Revolution. James's conduct settled the question with all lovers of the Constitution who were not blinded by invincible prejudices or over-scrupulousness of conscience; and that King must himself have felt that he had no chance of support from Clarke in his attempt to Romanise England, if we may judge by his selecting him for a sorry joke about his connection with All Souls. It

happened on the occasion of James's visit to Oxford in 1687, for the purpose of supporting his Papist friends, and is thus related by Wood [1]:—

'Sunday morn. when the K. was in dressing, in came Clark—(the same who was parliament man)—of Alls. Coll. in his square cap—the King asked him of what Coll. he was? He said of Alls. Coll. Are not you, said the King, bound by statute to pray for the dead? No, Sir, said Clark; not that I know of. Why, said another that stood by, Chichley was your founder and founded your Coll. for such that were slain in the battle at Agincourt.'

We are not told of any further explanation given by Clarke. Probably it would not have been of much use in the present temper of James's mind to have reminded him of the Act for the Suppression of Chantries. He was just then at the very crisis of his frantic effort to turn back the whole tide of English history, and no doubt enjoyed his momentary triumph. It might have been well if he had been led to ponder over Clarke's curt answer. Whatever else Clarke was, he was always, as he said on the occasion of Finch's appointment to be Warden of All Souls, a decided anti-Papist.

All through the subsequent reigns we find evidence that he was also a consistent and ardent anti-Jacobite; and he is followed by Hearne's displeasure in consequence, especially as he beat Hearne's friend, Dr. King, the famous Jacobite, in the contest of 1721 for Oxford University [2]. We have not so many records of his political life as we could wish; for he was evidently rather the dexterous and necessary man of business than a politician in the usual sense. But we find him, in the early years of Anne's reign, taking a leading part both at Court and in Parliament against the Occasional Conformity Bill. This connected him with the Whigs; and later in the reign we find him in agreement with the Tories on the subject of the Peace of Utrecht.

[1] Life, sub ann. 1687.

[2] Hearne's Diary, 93. 203.

His immense public experience led him to form judgments superior to those of the mere partisan, and friendships which embraced men of the most opposite opinions. We have to search the unpublished correspondence of the times if we would discover the place he held among his contemporaries. He is full of zeal and good taste in his patronage of literature. A quiet good sense and thorough knowledge of the world pervade his letters; and his friends write to him as to a man of whom they feel sure as to his friendship, his disinterested judgment, and his generous philanthropy.

Perhaps, though forestalling our history a little, an extract or two from Clarke's letters to the indefatigable Dr. Charlett, on the Peace of Utrecht, may not be unacceptable even now, when, after the lapse of so many years, party politics still appear to obscure the opinions of some modern writers on the subject. The means by which that famous Treaty was procured were bad; the Treaty itself, though far from perfect, good. This was Clarke's opinion, and no one could be a better judge. His letters also confirm the statement, not thought unworthy of mention by grave historians, that one among the influences which weighed with the upper classes of society was the longing for the taste once more of those French wines which the wars of Marlborough had so long prevented from appearing at table. We have a glimpse too of a Member for Oxford City from the pen of the Member for the University.

'I have all my life,' says Clarke, 'hated a trick, and think nothing can be worth playing one. . . . I wish the peace of Europe, the peace of my country, and of the University in particular, and can never bring myself to be fond of those who would disturb any of them. Sir John Walter (M.P. for the City of Oxford) is sanguine enough to hope that the Parliament will come in, so allowing us some French wine directly from France: you are sure of his wishes and endeavour to bring it about.'

And on October 2, 1711, he writes thus:—

'I can tell you nothing from here which will be so acceptable to you, as I am sure it is to me, as that all the world talks of the great probability there is of peace. The City of London most certainly believes it, for all the stocks rise extremely upon that supposition, and interest, you know, will not lie. There are a parcel of people who industriously run down public credit, and yet at the same time are for carrying on the war, which requires credit as well as money. It would make you laugh to hear the several reports of the King of France's Ministers being in England. Mr. Pryor was walking t'other day in Gray's Inn Walks, and the mob fancied M. Polignac was with him, and gathered round him as they used to do about Dr. Sacheverell[1].'

He retired from official life at the end of Queen Anne's reign, but continued to represent his University for some time longer. Oxford is the home of his middle and old age. Surrounded by friends, he makes the good of his College and University the main employment of his time and of his wealth. When we come to the history of All Souls in the reign of Anne and George the First we shall see how much is due to him, and also how much more All Souls lost of what he would probably have left to that foundation had he not taken an alarm, and found another channel for his munificence in the endowment of Worcester College.

Thomas Creech will require a shorter notice, but his name ought not to be forgotten. He had a considerable reputation in his day, but not great enough to preserve his name. Even the well-informed University resident will stop at his picture in the 'Poet's Corner' of the Bodleian Galleries, and wonder who it was that bore the name of 'Thomas Creech, Poet.'

This clever and industrious man was one of the first to benefit by Sancroft's reform of the All Souls elections. He had nothing to recommend him but his talents; and it was creditable to the Fellows who had just elected Finch that they accepted the poor student—perhaps by way of atonement.

[1] Ballard MSS. 20. 40, 43, 47.

Hearne[1] speaks of him as 'one of the most applauded wits we had, and one who for several curious pieces deserved well of the commonwealth of learning.' He finds a prominent place in Cibber's 'Lives of the Poets.' His translation of Manilius had not much circulation, but he is chiefly known by his edition of Lucretius, which ran through six editions in twenty-eight years[2]. His devotion to this particular author was no doubt the origin of the report, which is mentioned more than once in contemporary letters, that he deliberately committed suicide out of sympathy with the principles of his author. But happily an entry in Hearne's Diary refutes the slander:—'By the Coroner's Inquest he was found *non compos mentis;* the evidence for it was very good[3].' Creech was assisted in some of his literary undertakings by friends, and chiefly by Codrington, who shews, in almost the only letter we have of his[4], that he was much pained at the treatment he had received from his client, whose mind was already giving way. Creech was employed on an edition of Justin the historian, a task which Codrington himself appears to have contemplated, but in the end it was left to the all-editing Hearne.

Tanner's name is so much more known than any of the three which have been noticed in this chapter that scarcely anything need be said about him except as far as he touches the College which honoured itself in electing him. Few great men in the literary world have emerged into deserved celebrity at an earlier age than Tanner. While an Undergraduate at Queen's College he had amassed the materials for his gigantic work, the Notitia Monastica, and even before he was appointed Chaplain to All Souls in 1693, had attracted the attention of all learned men. Amongst these was Wood. In the two last years of the great antiquarian's

[1] Diary, 114. 13. [2] Ibid. 130. 81. [3] Ibid. 114. 13.
[4] Ballard MSS. 20. 33; Letters from the Bodleian Library.

Life we find notices of the young man who was to follow in his steps. A month before his death he says:—

'With Sr. Tanner of All Souls, at Binsey Chapel, where, in the porch, I read and told him the whole history of St. Frideswide and the antiquity of that chapel; thence to Godstow, where I told him the antiquities of that place and all matter of Lady Edyve and Rosamond; so eat a dish of fish, and went through part of Wolvercote home[1].'

How vividly does this entry reproduce the scene! It would be spoilt by another word. Old Anthony Wood was no doubt sounding his young friend, with some presentiment of that illness which soon came on him so suddenly and distressingly. It prepares us for what then took place. Of the circumstances of his death Tanner himself[2], as well as Dr. Charlett[3], has given an excellent account. The latter, who was the person most respected of all his friends by the eccentric author, pressed him to settle who should be the Editor of his papers.

'I advised him,' says Charlett, 'to Mr. Tanner of All Souls, for whose fidelity I could be responsible. His answer was, he thought so too, and that he would in this and in all other particulars follow my advice.'

This is of course authentic; but Hearne adds some touches which had reached him, and are too characteristic not to be true. When Tanner was recommended by Charlett, 'Wood vehemently asked—"Hath he courage? will he be honest?" repeating the words over and over. And when he was assured he had both qualifications he committed the papers to him[4].' Hearne, Tanner's rival and political opponent,

[1] Life, sub ann. 1695.

[2] Ballard MSS. 4. 13.

[3] Hearne's Johannis Glastoniensis Chronica, vol. ii. p. 455. (Both this letter and Tanner's are given in Dr. Bliss's edition of Wood's Athenæ printed for the Eccl. Hist. Society.)

[4] Diary, 92. 191.

adly condemned Tanner for having 'betrayed his trust' editing Wood; but this may well be disputed. It was matter requiring extreme delicacy, and he at any rate ted in strict accord with Dr. Charlett. In later years earne found he had much to learn from Tanner[1]. It is ficult to imagine three greater monuments of research an the Notitia Monastica, the edition of Wood's Athenæ, d the Bibliotheca Britannica. His collection of papers d books, now in the Bodleian, has been already men- ned. His industry and ability were only exceeded by the nerosity and charity of his life and character; the in- iption on his monument at Christ Church, of which he as a Canon, is no mere sepulchral commonplace. The end of Bishop Gibson, Archbishop Wake, and Bishop oore, he became in due time himself the Bishop of St. aph; but his place among English Worthies is due to e literary labours of which as a youth Queen's College as the scene, and subsequently, for eight years as Chaplain ıd Fellow, All Souls.

His affection for the Society which had thus nurtured him well exhibited in the following characteristic letter to r. Charlett from Norwich, of which diocese he was Arch- eacon, dated October 28, 1719:—

'It would be scarce pardonable in one that had lived eleven r twelve years in Oxford, and been a little observer of days nd times, not to remember, upon St. Simon and St. Jude, Jniversity College and the flourishing state of it. This I elieve I have scarce ever omitted, though I have not always een so happy as to have an hour to spare to send dutiful spects and good wishes to my worthy friend who has so long ppily presided over that Society. The following six days e usually very busy ones among your neighbours at All Souls. nce I left them [in 1701] I have never sent one letter upon Election account, nor think ever to do it. The use I ought make at the return of this season is to thank the Almighty sposer of all events for giving so happy an issue to the ction 1696, and for turning the hearts of the then Warden

[1] Diary—*passim*.

and a majority of the Fellows in favour of a poor, friendless Chaplain. Pray God reward all those who were instrumental thereunto, and this year and ever direct for the best the filling up the vacant places in that excellent Foundation. I shall be a little interested on Monday in my usual celebration of All Souls' Day, it being unluckily appointed for a Session Day upon a Commission we have down for Charitable Uses, of which we have too much occasion in this County. . . . I hope we shall be able to do much good. . . . However I hope to dispatch by four of the clock, and then to fill my table with such as wish well to the University, though I never yet could do it here with Oxford men.'

He then goes on to mention that the Caius College men—Caius being a great Norfolk College—had met and publicly dined on Caius Day, August 26, to the number of ninety-two.

'This was the first year of their keeping their Founder's Day here in this City[1].'

It is hoped that these personal touches will not be out of place, where so little is personally known of a truly good man. They help to prove that the College was recognised as doing useful work by one capable of judging. It was bringing into a focus, and so intensifying, the better influences of the time, the literary activity, the religious principles, the social graces of that stirring period. All through Oxford there was a great movement in progress. Anthony Wood had imbued a large number of men with his enthusiastic zeal for antiquarian research in the records of their own country and University. Dr. Charlett was nursing a thousand schemes for literary enterprise. We have seen that even Warden Finch had caught the infection. Dr. Radcliffe's immense London practice was made to contribute to the advancement of men of learning, and especially of Oxford students. The researches of the great Dutch scholars were exciting eager emulation at both Universities. At Cambridge Bentley was grandly elevating the standard of Classical scholarship, Newton of

[1] Ballard MSS. 4. 73.

Mathematical eminence. At Oxford, Christ Church, under Dr. Fell, had made a wonderful progress since the Restoration. The example of the great Boyle and the saintly Hammond had not been lost. Locke, indeed, owing to Fell's subserviency to Charles the Second, had been expelled the University, but not till he had planted there seed which was to bear abundant fruit, good for those who knew how to use it, bad for the bad. Wake and Atterbury were maturing, under the influence of that kindly temperature, their great powers for the coming struggle upon ecclesiastical politics. South had learnt there to give a better tone to the pungent wit of the Terræ Filius. The all-accomplished Aldrich was composing glees and catches, building quadrangles and churches, and publishing manuals of logic, editions of the Classics, and sermons against Rome,—though apparently he had not made as much effort as even the Fellows of All Souls to keep out a Papist from the Headship of his House. Many other divines of only less eminence gathered round the giants of Christ Church in those palmy days; nor will other Colleges be found to have been altogether behindhand in the race when the history of Oxford during those times comes to be written. It was under the influences of Christ Church and All Souls at this period that a remarkable man was educated, who must have a chapter to himself. Christopher Codrington is sometimes called the Second Founder of All Souls, on account of his splendid benefaction. He was but the most distinguished of many superior men formed in this age who gave the College almost a fresh existence. We must attempt to understand the process by which he became what he was.

CHAPTER XVIII.

Codrington.

1690–1710.

Codrington's family — His father — His Oxford education — Campaigns in Flanders — Public oration at Oxford — Sent to command in the West Indies — Opinions of contemporaries — Career as Captain-General — Learned retirement — His Will — Bequests to All Souls and the Society for Propagation of the Gospel — His character — Addison's verses.

SINCE Great Britain has become the basis of an Empire embracing India, Canada, Australia, and a multitude of other dependencies, it requires an effort to imagine the importance of the West Indian Islands in the seventeenth century. Besides the North American colonies, several of which afforded in their early days but a barren return for the labour and danger undergone by emigrants, there was no other field open to British enterprise. To the beautiful Antilles—the brightest jewel in the British Crown—were attracted many of the best families in the land. Negroes imported from Africa were already largely employed in cultivating the sugar cane, and wealth rapidly rewarded energy and ability. All the Western nations of Europe competed for a share in the growing profits of the trade, and the struggles of the Continent were reproduced in the Tropics. The state of society in the islands was unsettled, not to say, too often lawless. The Buccaneers

flourished and were put down, rose again more than once, and were again put down. There was too much sympathy with them in many a West Indian society.

Of one of the best of the Colonial families the subject of this chapter was the representative. They were the descendants of no unimportant members of those knightly races which have been the glory and strength of England. An ancestor had been standard-bearer to Henry the Fifth in battle; and they had been settled for many generations at Dodington in Gloucestershire. After a lapse of nearly three centuries, the descendant of the brave Lancastrian knight came from the Antilles to be a Fellow and Benefactor of the Lancastrian Foundation.

The father of this Christopher Codrington was also a Christopher Codrington, also a British Colonel, also Captain-General of the Caribbean,—or more properly speaking, Leeward, Islands,—also a man of mark.

'To the enterprising spirit and extensive views of Colonel Codrington of Barbadoes,' says Bryan Edwards, the historian of the West Indies, 'Antigua was indebted for its growing prosperity and subsequent opulence. Deriving from his appointment as Captain-General the power of giving greater energy to his benevolent purposes, he had soon the happiness of beholding the good effects of his humanity and wisdom in the flourishing condition of the several islands under his government.'

He commanded with success an important expedition against the French in the West Indies, and was concerned in extinguishing a revival of Buccaneer license. So much it seems as well to state, as it accounts for the resolution he formed of sending his son to England that he might receive the best education the old country could afford. So able and prosperous a man would be satisfied with nothing short of this. The property he left was so considerable that, with the additions made by his son, it was spoken of by that son

as 'the greatest estate of any man in the West Indies[1].' The highest praise Bryan Edwards can give the younger Christopher is that he 'trod the same paths as his illustrious father[2].' He evidently owed much to that father.

The youth of whom we are now to speak was sent to school at Enfield, and then to Christ Church; from whence he was elected to All Souls, somewhat later than the usual age, in 1690. He followed King William to Flanders, still keeping his Fellowship, in 1694. Even by this time he had achieved a high reputation. We come across him in various contemporary records as a sort of Admirable Crichton. Yet he has left next to nothing behind him, and the printed accounts of him are meagre in the extreme; nor have his family at the present day anything further to tell us. His Will, dated 1702, was so remarkable in all respects that his name will be handed down to remote posterity. It is little more than a name to this generation. An attempt will be made here to restore such life to that name as is still possible. Would that it had been done when his memory was more fresh!

At Christ Church Codrington must have found himself under the full influences of the remarkable men we have noticed in the last chapter, and been witness to the most exciting scenes presented within the House since the Commonwealth. Massey, the Romanist Dean, must have been both intruded and superseded during his residence, and all the great questions of Religion and the Constitution been practically dealt with before his eyes. We can only guess at the immediate effect upon him of the struggle; but it is certain that we find him in after life a devoted adherent to the principles of the Revolution, and a true son of the Church of England. Of his residence at All Souls we have,

[1] Copy of Petition against Colonel Christopher Codrington, 1702.
[2] History of the West Indies, vol. i. 438, 439.

on the other hand, a direct and distinct trace in the report of a friend with whom he had much intercourse before his death.

'At All Souls,' says Gordon, 'he was convinced of the true value of learning and piety; and that he had his education there, among so many learned and pious men as that Royal Colledge abounds in, whose names he frequently mention'd with peculiar esteem and veneration, he ever accounted one of the greatest blessings of his life. The happy opportunity which Providence indulg'd him of being bred up in that fruitful seminary of good literature, he industriously improved to the storing of his understanding with all sorts of learning, with logick, history, the learned and modern languages, poetry, physick and divinity. . . . Nor was he less careful of those politer exercises and accomplishments which might qualifie him to appear in the world and at the nicest Courts with reputation and advantage, insomuch that he soon acquir'd the deserv'd character of an accomplished, well-bred gentleman, and an universal scholar[1].'

This very high praise comes from a suspicious quarter—a funeral sermon. We are bound then to examine the matter a little further. What further light have we as to the opinion of his contemporaries?

We turn to Cibber's 'Lives of the Poets'—the standard work of that kind in its day—and we find he says of Codrington, 'this gentleman was of the first rank of wit;' to Tindal's History of England, and we see him called 'a man of learning and wit as well as gallantry.' We examine the *Analecta*, in which indeed we found some verses of Finch's, but into which collection all the best Latin poets of the day were glad to find admission. Some of Codrington's verses are there. We find Addison, the accepted critic of his time, exhausting the vocabulary of poetical eulogy in singing the praises of his friend. We find Edward Young, the poet, in his funeral oration, describing the ardour with

[1] Gordon's Funeral Sermon.

which he pursued his studies, as he did in war his enemies, —'*vehementer doctus.*' Digby Cotes, the Public Orator, on the same occasion dilates on his heroic appearance, his personal accomplishments, his Christian death-bed. But perhaps his greatest praise is that Hearne [1], who never has a good word for any who were not more or less of his own Jacobite principles, can say no worse thing of him than that 'this gentleman had many good qualities, though they were all slurred over by his complying with the rebels in opposition to King James.'

There must have been something more than the mere promise of excellence to excite this general opinion of Codrington's abilities. He must have been a hard student, a good scholar, and gifted with a vein of poetry which distinguished him among his fellows. Very little of the latter has come down to our times. His verses to Sir Samuel Garth, on that author's 'Dispensary,' alone find a place in modern or quasi-modern collections. A few lines have been often quoted, and may be quoted once again :—

> 'Ask me not, friend, what I approve or blame,
> Perhaps I know not why I like or damn;
> I can be pleased and I dare own I am.
> I read thee over with a lover's eye,
> Thou hast no faults or I no faults can spy,
> Thou art all beauty or all blindness I.'

Such fragments do not of themselves entitle a man to 'the first rank of wit,' but we may remember, if he appears to us a somewhat obscure luminary in that galaxy of excellence which we recognise in 'the age of Queen Anne,' that the constellation had not yet reached its zenith, and that a reputation is sometimes made, and justly made, without much to shew for it in print.

He was while at All Souls an enthusiastic collector of

[1] Diary, 58. 200.

books, as might be expected from the companion of Creech, Tanner, and the able men who at this time flourished at the College. A few years after he left Oxford he wrote to Dr. Charlett as follows:—

'As to the latter part of your letter I shall only say I had once some public designs; they were good, I think, but I am sure I was in earnest. Whatever they were they are at an end, and I shall never reassume them. However, I shall proceed in my collection, and though it will not be so large as I at first intended, I hope to make it as curious as any private one in Europe, particularly in some sort of books which I believe are not known in Oxford. Mr. Cunningham is going into France, and from thence into Italy, and will miss nothing that is curious. If ever I return from the Indies I shall make that tour myself, and nothing shall escape me that is valuable in any way, though it is possible, considering my circumstances, that I may make very little use of them myself, and am not yet resolved what to do with them at my death, though I am very fully determined I will not dispose of them as I at first intended[1].'

These words may refer to Codrington's supposed idea of leaving his books to the Bodleian Library, which Hearne, writing in 1706[2], believed to be their destination. He reckoned them at 12,000 in number, and they were valued at £6,000. Or, as the date is only a few months before that of his Will, Codrington may have been in doubt whether to apply them for the benefit of his West Indian College. At any rate the books here mentioned formed a part, and a very valuable part, of his legacy to All Souls. The imminence of the war in which he was about to engage accounts for the rest of the letter. He could hardly have foreseen that he should yet spend six years, free from the cares of Government, in the midst of his beloved pursuits.

Some years before this date he had however exchanged

[1] Ballard MSS. 20. 33; Letters from the Bodleian Library.

[2] Hearne's Letters; in Bodleian Library.

the society of Clarke and Radcliffe and Addison and Garth for the camp of King William in Flanders. As in the case of Sir Anthony Sherley[1], the College was unwilling to withdraw its assistance from one who carried with him all its sympathies in the great struggle. It is hardly necessary to look far for a reason why a man of Codrington's spirit and opinions should rush to the assistance of his Sovereign in his gallant effort to humble the imperious enemy of England and religious liberty; but war with France must almost have seemed an hereditary duty to the son of the Captain-General of the Caribbean Islands. Among the chief causes assigned for that war was the cruel and treacherous conduct of the French planters at St. Christopher's, which it was the fortune of Codrington's father to avenge[2].

His was no undistinguished service. At the sieges of Huy and of Namur he behaved with such gallantry that he attracted the attention of King William—no mean judge. It were to be wished there were some details of this service, but at any rate we know that the King then and there made him Captain of the First Regiment of Foot Guards. Almost immediately after the close of the war the elder Codrington died. The King now still further marked his approval of the services of this young man—little more than thirty years old—by giving him the succession to his father's great office in the West Indies.

A characteristic point of connection between Codrington's military and literary life occurs at this period. Returning to England with the King he attended him on his visit to Oxford. The Public Orator was indisposed[3], and the University paid Codrington the compliment of selecting him to deliver the University Oration instead of their own officer. This production is, again, unfortunately lost; but

[1] p. 98. [2] Edwards' History of the West Indies, i. 427.
[3] Tindal's History of England, iii. 301.

the famous Dr. Gibson, afterwards Bishop of London, calls it, in a contemporary letter, 'a very elegant oration[1];' and it is referred to as follows by Dr. Hudson, Bodley's Librarian, who dedicated (in Latin) to Codrington, then in the West Indies, the second volume of his edition of Dionysius of Halicarnassus.

In the high-flown rhetoric, not altogether peculiar to the dedications of those days, he remarks that—

'people might wonder why he sought the patronage of a general engaged in war, but their surprise would cease if they knew that the Muses were the comrades of that general, if they had witnessed the incredible avidity and vigour with which he had made literature his own, how he had left nothing unattempted which might aid the cultivation of his mind, how he had carried off the laurel from all in the gentler contests of poetry, as well as in the subtleties of philosophy and mathematics, how profoundly the assembled University admired his manly eloquence when he made his magnificent oration before the King, and narrated the noble deeds of the war with the same courage as he had shown in their performance. He might well receive the dedication of the author's

[1] Some extracts from this letter may find their place in a note.

'The King received the University in state at the Theatre, where a large banquet was provided with variety of musick during His Majesty's stay. Mr. Codrington of All Souls, in a very elegant oration, expressed the publick joy of the University to see His Majesty. The Chancellor [Duke of Ormond] on his knees presented His Majesty with a large English Bible, a large Common Prayerbook, and the cutts of y^e^ University, all richly bound and printed in folio at the Theatre, with a pair of gold-fringed gloves.' The King was however, we know, coldly received, and left hastily. The Chancellor, who staid behind, lodged at All Souls, and on Sunday morning heard at St. Mary's 'an excellent sermon preached by Dr. Finch, Warden of All Souls.' After the afternoon sermon 'the Chancellor and such of y^e^ nobility and gentry as staid in town were entertained by the University at a dinner in the publick Hall of All Souls College, the Noblemen, Heads of Houses, Professors and Proctors present.'—Ballard MSS. 5. 53.

works, as he of all men could best understand them. So formed was he by the hand of a superior nature that under the guidance of a master like Dionysius he might well become in eloquence the rival of Pericles, as he had already surpassed him in the science of war and the greatness of his exploits.'

As the mouth-piece of Britannia the learned Editor implores the return of his patron to England, 'not only that the loss of those whom the dire struggle for the liberties of Europe had carried off might be the better borne, but because some hope might then be entertained of terminating the war raging in the vitals of Germany.'

It is evident from this, and other indications which present themselves, that Oxford was not a little proud of the versatile talents of her hero, and that Marlborough himself was as yet, in her partial eyes, held cheap in comparison. Creech, dedicating to Codrington, at an earlier date, his Lucretius, dwells even more than Hudson on the loss sustained by learning in the abstraction of his friend from Oxford to military pursuits; war had sacrilegiously carried off a genuine child of the Muses.

We follow him then to the West Indies, to Barbadoes, where his chief estates lay, to Antigua, where he had property, and which was the seat of the Governor or Captain-General of the Leeward Islands, to Nevis, St. Kitt's, and the rest of that group of the Antilles which were included in his government.

Some mention has been made of the unsettled state of society in the Leeward Islands; and some striking details of their condition in this respect both before and after Codrington's term of office may be found in works upon the West Indies. But we gain further insight into the subject by means of an Appeal which was made by some inhabitants of Antigua in 1702 against Codrington's proceedings. It was first carried to the Commissioners of Trade

and Plantations, then to the King in Council, and finally (the promoters being impatient of delays unjustly imposed, as they alleged) to the House of Commons. To the 'articles exhibited' against him before this latter tribunal Codrington replied by publishing them himself with his own comments attached; and they are still to be seen[1]. At the end are appended some very honourable testimonies to his character as Governor, from the authorities of the Island of Nevis. The charges against the General are concocted with legal skill, but are evidently frivolous enough; and so the House must have thought, since it summarily 'dismissed' them.

Nevertheless the impression remains, on a study of the document, that he ruled his islands after a somewhat military fashion,—salutary no doubt under the circumstances, but not altogether agreeable. War with France was again at hand, and the Commander-in-Chief had to prepare for it. The first requisite for success was the establishment of a firm rule over the people themselves.

In the Calendar of Treasury Papers may be seen an official report from Codrington, a short time previous to this affair, in which he says, speaking of Colonel Norton's regiment, that he 'had reason to believe there was a vast difference between the rolls he sent home and the true state of his company. He had been forced to suspend Colonel Norton from his government for the many great crimes he had been guilty of. He would give a more particular account of ——'s friends.' 'If any knavery or quirks of law, they may expect to find them in this island,' says a very competent witness, of Barbadoes, writing in 1711[2].

It was fortunate that he had had three or four years of peace in which to establish his position. With the commencement of Queen Anne's reign the war broke out with

[1] Codrington Library at All Souls.

[2] MS. Letters, 67, Office of the Society for the Propagation of the Gospel.

fury; and the West Indian islands were among the earliest to feel its ravages. The General's first operations were successful. It was at this time that the famous Benbow commanded the naval forces in those seas, and died more of a broken heart at the conduct of his captains than of his wounds. With him Codrington might well have succeeded in sweeping the French from the islands; but Benbow's successor was incompetent; and the grand expedition against Guadaloupe, planned by the General and Admiral, failed for want of proper support from the latter, partly also from the sickness of the troops, who were at first successful. This was in 1703. There were as many as 6000 soldiers embarked under Codrington's personal command; and his gallantry was as usual conspicuous; but in vain [1].

To a man of his disposition such a check was no doubt more than ordinarily distressing. Next year he resigned his appointment, 'was superseded,' as Mr. Edwards tells us [2]; but he seems to have resigned [3]. At any rate he retired to his estates in Barbadoes, where he lived for the rest of his life in great seclusion, and 'spent most of his time in contemplation and study.' It is for this period that we are obliged to rely upon the testimony of Mr. Gordon, and can only quote his words; words, however, which the writer tells us he has carefully weighed:—

'I shall be particularly careful that what I shall say of him shall be, to the best of my information and knowledge, strictly true.

'Nature had blessed him with vast capacious parts exceedingly above the common level of mankind. He had a great soul of a fiery genius, happily united to a body of a subtle and flexible composition, in which the blood and animal spirits

[1] Diary of Narcissus Luttrell; Southey's History of the West Indies.

[2] Vol. i. p. 439.

[3] Gordon's Sermon, p. 21; 'Letters from the Bodleian.'

moved with vigour and rapidity and rendered it rather a spur than a hindrance to the operations of his mind. He had a quick and piercing apprehension, a strong, solid, distinguishing judgment, a retentive memory, a warm imagination, a fruitful, sagacious invention, a bold, pregnant wit, a sublime way of thinking, a methodical, persuasive way of reasoning, and a voluble, distinct utterance upon the most unexpected occasions. These wonderful perfections which nature had adorned him with were enlarged and cultivated with all the art and care that this polite age is master of.

'Of late he chiefly applied himself to Church History and Metaphysics. If in anything he excelled it was in Metaphysical learning, of which he was perhaps the greatest master in the world. He was a great admirer of the Fathers, particularly of St. Basil, whom he seems not a little to have resembled in the universality of his genius, the warmth and activity of his temper, and an affection for a monastic life, but chiefly in his sublime way of speaking and writing.

'He was particularly careful to form his style upon the great models of antiquity; some of them he equalled, most of them he excelled. His style was plain and easy, yet powerful and lofty, fluent but not turgid, florid yet natural and unaffected, elegant but not overwrought or forced. In his studied and elaborate composures there was an inimitable beauty and efficacy, whereby he would at once charm the affections, move the passions, and convince the understanding with such surprising turns, such impetuous force, such solid reasons that (as was said of his forementioned pattern) he spoke nothing but life and breathed a soul into the dullest argument he treated of. And yet his care of his style did not at all cramp the exactness or interrupt the chain of his most refined and abstracted enquiries; for every thought was placed in the most advantageous light, as well as dressed in the gayest manner, and every period was just, and had a natural cadence. In the same discourse he would display the orator and the philosopher to so great perfection that it was hard to determine in which he most excelled, so much did he excel in both.

'In a word, he had in this West India retirement made so wonderful a progress in his studies, that had Providence spared him to have returned to his beloved University, he would have been as much the object of their admiration as he deserved to be the object of their delight. Great part of his estate he designed for the advancement of learning and piety; and indeed he was so great a lover of learning and learned

men, that wherever he met with an ingenious person he courted his acquaintance, and readily received him into his friendship.'

So long a quotation would be perfectly inexcusable if, on the one hand, there were any remains of this 'masterpiece of nature' to present by way of specimen, or if, on the other, there were not grounds for believing that, after making ample allowance for the partiality of his friend, the account he gives is substantially correct. It is scarcely conceivable that not one of these 'discourses' or 'composures' which so impressed Mr. Gordon, no fragment of this 'perfect style,' should have survived, but so it is. Beyond the trifling contributions to literature above noticed, no research has yielded any fruit. Private enquiries among his descendants reveal no store such as one would suppose might have been preserved. But Addison's lines, in his *Pax Gulielmi auspiciis Europæ redditâ*, three of which are inscribed on Codrington's monument, take quite as high a line of praise; and the funeral orations spoken at his grave, when his body was brought over the Atlantic for burial at All Souls, rise even higher in their somewhat fulsome eulogy. Of these orations —that by Cotes at the interment, that by Young on laying the first stone of the Library—much cannot indeed be said that is favourable in point of taste. Hearne[1] denounced them as 'most wretched stuff, being neither Latin nor sense;' but though they ought scarcely to have been printed, we have seen that Hearne was not an impartial judge of Codrington. He is more just in his protest against the body being interred without any species of religious service[2].

The Public Orator's reference in his oration to the unique glory of Codrington in diffusing his munificence to the farthest bounds of East and West, uniting both hemispheres in his praises, barbarian and polished student alike, introduces us to the Will which has been already mentioned.

[1] Diary, 62. 83.

[2] Ib. 58. 201.

The noble use to which Codrington put so large a portion of his estate serves to throw a further light on the character of the man. Indeed, except for this it would have been scarcely worth our while to have tracked his course so fully. Two institutions of to-day date, if not their origin, their chief development from his far-sighted wisdom. Of his gift to All Souls enough has been said to shew that it was a natural one for him to make. Ten thousand pounds, which by good husbandry was raised to £12,000, along with £6000 worth of valuable books,—a sum worth perhaps £50,000 of our currency,—not only sufficed to erect, furnish, and endow a magnificent Library for the College he loved so well, but tended greatly to assist that process of enlargement and improvement which will be presently traced.

The College shewed every mark of gratitude for this bequest; as well it might. The feeling of others may be measured by the Visitor's letter to the Warden, of September 1, 1710:—

'The news,' says Archbishop Tenison, 'of Colonel Codrington's noble bounty to the College is very agreeable to me. If all other matters shall be well and amicably settled at the Visitation it will be one of the most glorious luminaries in the world. Such is the hearty wish, and in some degree expectation, of your loving brother,'

'T. CANTERBURY[1].'

Some details relating to the progress of this Library will be found in a subsequent chapter.

We here close the connection of Codrington with All Souls. His wishes were faithfully executed with respect to his tomb. It was to be plain—to cost only £20; while for a monument to his father in Westminster Abbey he left £1500. On the stone which covers his remains was inscribed, with honourable simplicity, the single word

[1] Archives.

'Codrington.' The statue which adorns his Library is by Sir Henry Cheere. The picture in the Hall is not supposed to be an authentic likeness.

But this notice would be very far from complete if we did not devote a few pages to the other institution which has carried down his name as a 'propagator of the Gospel' through many grateful generations.

Codrington seems to have been in England, in the matter of his Appeal, almost at the very moment of the foundation of the venerable Society for the Propagation of the Gospel. The first efforts of the noble-hearted men who conceived the scheme made a profound impression on his mind, for they were directed to the West Indies. It would be interesting if we could discover how far he himself had been a fellow-worker with them; but there is no record. However that may be, it was not only that the benevolent objects of the new Society fell in with his own;—it had been 'erected and established by my late good master, King William the Third[1].' It had also at once received the hearty support of Queen Anne. 'I shall always be ready,' said that Sovereign, when addressed by the Society on her Accession, 'to do my part towards promoting and encouraging so good a work;' and she had 'beforehand declared her approbation of what they are now doing by her princely munificence when the affair was in private hands[2].' Thus satisfied that a sound foundation had been laid, Codrington made up his mind. He kept his secret. No one in his lifetime guessed what he had done. In less than two years after the Society was incorporated he made the munificent bequest which has placed him in the front rank of contributors to such objects. 'The Plantations have been computed to upwards of £2000 a year clear of all charges,' says the Report of the Society. Mr. Gordon calls it an estate of £30,000 value. It was at least worth £100,000 of our money.

[1] Codrington's Will. [2] First Report of S.P.G., 1703.

Here are the words of the testator, which have never yet been given in their complete form:—

'Item, I give and bequeath my two plantations in the Island of Barbadoes to the Society for the Propagation of the Christian Religion in Forraigne Parts, erected and established by my late good master, William the Third; and my desire is to leave the plantations contained therein entire, and three hundred negroes at least always kept thereon: and a convenient number of Professors and Scholars maintained there, all of them to be under the vowes of poverty, chastity, and obedience, who shall be obliged to study and practise physick and chirurgery, as well as divinity, that by the apparent usefulness of the former to all mankind they may both endear themselves to the people, and have the better opportunities of doing good to men's souls whilst they are taking care of their bodies; but the particulars of the Constitution I leave to the Society composed of good and wise men.'

He also leaves to the Society an estate in Barbuda.

The above words are copied from the original Will in Doctors' Commons; but the words, 'all of them to be under the vowes of poverty, chastity, and obedience,' do not occur in any printed copy whatever belonging to the Society for the Propagation of the Gospel; and no wonder, for in their Report of the very year when they received the bequest, a copy of this portion of the Will is given, but without the above words! All subsequent books and papers copy the first Report, and consequently it had been wholly and completely lost to memory that Codrington intended his Professors and Scholars to be a monastic body under the government of the Archbishops, Bishops, and others of the English Church incorporated by his 'good master, William the Third'!

A letter of Bishop Tanner's, which the writer of these pages accidentally came across in searching the Bodleian MSS., led to this curious discovery. It is addressed to Dr. Charlett, dated July 21, 1710, and runs as follows:—

'As no one has nearer at heart the peace and prosperity of

All Souls than myself, so your confirmation of what the public prints mentioned of Colonel Codrington's benefaction was most welcome. I have since seen the clause in his Will relating to the Propagation of the Gospel, where his ordering all his Professors and Scholars [at Barbadoes] to be under vows of poverty, chastity, and obedience, is very monastic.'

As it seemed important to trace the matter further, with a view to a full comprehension of the character and opinions of the All Souls benefactor, enquiry was made of the officers of the Society,—to whom the writer would here render his thanks for kind assistance,—but in vain. Not even an echo of the story had been prolonged down to the present day. No particular meaning had been supposed to attach to the only passage which might have led to investigation, and which has been quoted above from Mr. Gordon's sermon. The 'affection for a monastic life,' if any one ever thought of it, passed for a dream. But it was only necessary to go to Doctors' Commons,—there was the passage in the Will; only necessary to examine the original conveyance of the property in the Archives of the Society,—and there it was again! Perhaps the date of that conveyance may throw some light on the history of the matter. It is 1742. It had taken thirty-two years to get rid of the difficulties attending the peaceable possession of the legacy! An entire generation had passed away. The deed was deposited in the Archives of the S. P. G., and no one but the lawyer of the Society by that time cared to examine it very narrowly; and why should any one examine it again when the disputes were settled?

But how did the passage come to be erased so promptly and conclusively? This is a curious question, and no examination of the ancient records of the Society throws the least light upon it. No debate, no motion, no legal opinion, no statement, appears either in the Reports, the Journal of the Board Meetings, or the Journal of the Committee Meetings. And yet this remarkable condition in the Will was notorious. The executor, Colonel William Codrington, first cousin and heir of

Christopher, was advised that he might dispute the Will on this very ground—that it was 'Popish[1];' and the fact that so large an estate was left away from the family, though the elder line died out in Christopher Codrington, gave a very natural excuse for any amount of legal obstruction. Even the bequest to All Souls afforded matter for litigation.

We are left to conjecture. The Archbishops of those days were autocratic in the affairs of the Society. Tenison, advised no doubt by the Lord Chancellor, or some great legal authority, simply scratched his pen through the clause, and took his chance as to the future. He chose to consider this as one of the 'particulars of the Constitution' left to the 'wise and good men of which the Society is composed.' And yet, as the condition precedes the clause in which option is permitted, it might apparently be argued that the condition was paramount, and not by any means open to any such interference. If technically that opinion might be held, a larger view of the case would certainly justify the course of the Society. It was a 'particular of the Constitution' which, if retained, would have vitiated the whole bequest; and that the testator could not have desired. Whatever might have been possible in other times and places, any attempt to put the condition into execution at that time, and in the West Indies, would have been fatal; or, at any rate, the Society may well have thought so. The difficulties they met with from all quarters were enormous as it was; but there was not the slightest element of sympathy with the 'monastic design,' either at home or abroad, which could have saved the infant institution from shipwreck. Some of the English Nonjurors, indeed, might have accepted the notion; but that was all the more reason in the eyes of the Bench of Bishops why it should not be thought of for a moment. As the point seems never to have been pressed in a Court of Law it would appear that they were legally as well as morally right.

[1] See Mr. Gordon's letter, infra.

The question remains—what could have influenced Codrington to insert the condition? It forms an authentic portion of the opinions of the man, and so deserves respect. It was deliberate. Formed eight years before his death, it was never rescinded. This 'affection for a monastic life' was not bred of solitary, studious habits in the learned retirement of his later days; but here it finds expression in the very midst of the cares of government, the public defence of his character, and the preparation for a very serious war. Happily the search for documents at the Society's office led to the discovery of a letter which conveys some information from the same Mr. Gordon whose Funeral Sermon has been quoted. It is addressed to the Society on July 25, 1710,—very shortly after the General's death:—

Mr. Gordon 'makes bold to write some account of the Plantations and the Testator's design for the information of the Society. . . . The design of the bequest was the maintenance of monks and missionaries, to be employed in the conversion of negroes and Indians, which design he took from the conversation of a learned Jesuit of St. Christopher's, between whom and him there passed several letters upon the antiquity, usefulness and excellence of a monastic life; but these, with some other rules and directions of his which he communicated to me whilst alive, are not now to be found. Of the missionaries, he proposed that there should be constantly kept abroad three Visitors, who would be obliged to travel from colony to colony and from country to country, to transmit to the Society a large historical account of the state of Christianity in such country, of the genius of the people, and what means were most probable to advance religion and piety, but these, with a great many other directions, I shall forbear enlarging upon as being superfluous.

'Colonel William Codrington, the residuary legatee and heir-at-law, has been at Antigua ever since the Will was found, and by some letters I have received from him I find that his advisers there have been buzzing in his ear that the Society are not legally qualified to take the estates, that the conditions of the bequest are Popish, and consequently the bequest void.' [Then follows a notice of sundry other claims on the property.] 'Whether Col. W. Codrington will insist

upon all these fancied advantages, and thereby give the Society trouble, I know not.'

It were much to be wished that Mr. Gordon, 'the happy companion of the General's studies and retirements for the two last years of his life,' had added to the services he has rendered an account of those 'other directions' which he considered 'superfluous'! Would—if the 'monastic design' was impracticable, and, as many of us will think, unwise—that some of the other large conceptions entertained by this remarkable man, and here mentioned by Mr. Gordon, had been put in execution! For it is abundantly evident that we have in the present case a great mind brought to bear on a subject which has been too much 'passed by on the other side' at the hands of really great men. A peculiar Providence had brought back a man, whose early youth had been spent among colonists, negroes, and Indians, in the full vigour of manhood, to his old haunts. Once more he finds himself among colonists, negroes and Indians, now no longer the eager, wondering boy, but endowed with European learning and refinement pitched at the highest standard of that exuberant age, and placed by the discerning eye of his Sovereign in a lofty situation from whence he could take extended views of men and things. His heart was touched with the degradation of his fellow-creatures, and his mind filled with the idea of benefiting them in a way which had never yet been attempted. He would strike out a new path. He would not merely send out Missionaries from England, he would have young men collected in a College on the spot, on an estate of his own—an estate worked by negroes; and thus,—surrounded by those whom not even he, or the Society to whom he entrusted the work, as yet thought of emancipating,—his trained Missionaries, carefully providing for the spiritual good of the slaves, should gradually learn the task before them. Nor should they be only divines; they should also, as we have seen,

be, for the best of reasons, trained in medicine and physical science.

They should also be monks. He was 'a great admirer of the Fathers, particularly of St. Basil[1].' He had himself embraced a celibate life. He was perhaps dissatisfied with the ministerial standard of the West Indian clergy. Mr. Gordon was a friend of only his last two years. His lot had cast him on shores distant by some thousand miles from his beloved College. He recurred with the partial eye of the banished student, now immersed in business, and tortured with the coarse ways of the world, to the happy, celibate life of classic Oxford. Unmindful of the sad experience of the Middle Ages, the corruptions of the monks and friars of the unreformed Church, he flung himself on the early, fresh, ideal of primitive enthusiasm. A skilful Jesuit had persuaded him that Protestant prejudice alone distorted the facts and rejected the theory. He would give it a fresh trial in a new world, and yet under the Reformed Church, which no Jesuit had persuaded him to forsake. The man who, with all his faculties at full stretch, had contrasted King James with King William, Massey with Aldrich, Dryden and Obadiah Walker with Addison and Wake, Jeffries and Tyrconnel with Holt and Marlborough, could not listen to the voice of the Pope; but he would extract from the early Church some portion of its primitive wisdom, and see if it could not be made to bear a purer fruit than that of Rome. So no doubt he argued. So others have argued. It remains yet to be seen whether they have not disregarded the conclusive commentary of centuries on an experiment which was once doubtful, but is really no longer a matter of speculation.

One more extract from Mr. Gordon's writings may be inserted here:—

'I am upon good grounds persuaded,' says he, 'that had he

[1] Gordon's Sermon.

been sooner apprehensive of his death he had done yet greater things for the advancement of learning and piety. He hath set a noble pattern to all those whom Providence hath blessed with plentiful fortunes arising from their commerce with the yet dark and unbelieving parts of the world. May it excite them to make a grateful return to Heaven, by consecrating some part of their great estates to the conversion and instruction of those infidels to whose labour under Providence they owe their wealth and affluence[1]!'

We cannot doubt that much more yet would have come forth from the mind of such a man, cut off at the age of forty-four. Religion and philanthropy mourned his early loss; literature might well believe that she was deprived of some great classical work which would have matched the pages of antiquity—some history of the Revolution and William's wars perhaps, free from the modern exigencies of brilliant composition, graced with the style of Thucydides or Clarendon, and commanding the admiration and assent of ages, since it would have been the relation of an actor and eye-witness.

It was not to be. He died as he had lived, the death of faith and courage. The West Indian climate and severe study wore him out, just when some men begin to live. But his institutions have continued the life thus cut short. We shall now watch the progress of All Souls, henceforth inseparably connected with his benefaction. The history of Codrington College, Barbadoes, would interrupt too much the process of our narrative. A brief sketch of it will be found in an Appendix.

The following lines from the pen of Addison[2] are not to be found in all editions of his works. They have already been noticed, but may perhaps not be unacceptable in concluding this necessarily most imperfect sketch of a true Worthy of All Souls. They contain a prophecy, towards the further fulfilment of which it may be hoped that even this feeble effort may contribute.

[1] Dedication of Gordon's Sermon. [2] Works, vol. i. p. 399.

'Te tamen e mediis, Ductor fortissime, turmis
Exere: Tu vitam (si quid mea carmina possunt)
Accipies, populique encomia sera futuri:
Quem varias edoctum artes studiisque Minervæ
Omnibus ornatum, Marti Rhedicyna furenti
Credidit invita, et tanto se jactat alumno.
Hunc nempe ardorem atque immensos pectoris æstus
Non jubar Arctoum, aut nostri penuria cœli,
Sed plaga torridior, qua sol intentius omnes
Effundit radios, totique obnoxia Phœbo
India progenuit, tenerisque incoxit ab annis
Virtutem immodicam et generosæ incendia mentis.'

The family has occupied a distinguished position in modern times. A baronetcy was in some sort a recognition of the West Indian services of the two Christophers. Another branch of the family has produced one of the best of modern naval heroes, the famous Sir Edward Codrington, who—(if a retired naval officer may be allowed an opinion)—certainly ought to have been made a peer, who has lately found an able biographer in his daughter, and whose sons are covered with distinctions gained in the military and naval Services. The descendant of another branch, a Fellow, like Christopher, of an Oxford College[1], is even now pursuing his collateral ancestor's great example in developing a Melanesian College in the Pacific. But, not excepting from the comparison even the knightly standard-bearer of Henry the Fifth, Christopher of All Souls must fairly take his place as the chief of the race.

[1] Wadham.

CHAPTER XIX.

All Souls in the reign of Queen Anne.

1702–1714.

The settlement of All Souls a type of that of the nation—Character of Warden Gardiner—His effort to revive the Statutes—Opposition of Archbishop Tenison—The case of Blencowe—Queen Anne's share in the affair—Tenison's Visitation—Non-Residence of Fellows established—'Restoration' of College Chapel.

From the very commencement of Queen Anne's reign, which was also the commencement of Bernard Gardiner's Wardenship, we observe a gradual change in the material condition of All Souls. One portion of the College after another is taken in hand; first the Chapel, then the Warden's Lodgings, then the Codrington Library, then the Hall, and finally the new Quadrangle. The old buildings are almost lost in the new. An air of magnificence and elegance pervades the institution. Before the middle of the century it was placed in the condition in which we now see it.

Side by side with this change we find in the history of the College a gradual settlement of questions which had long been waiting for solution, a gradual adjustment of many old subjects of contention; till at last that complexion was given to the general condition and objects of the College which it has retained ever since. The Whig Archbishops, Tenison and Wake, the influential Senior Fellows like Clarke, the energetic Tory Warden, and the 'faction'

of refractory Fellows, between them, but not till after many a storm, shaped out the modern All Souls. The storms indeed are so furious that we might imagine there was nothing else going on; but this is far from being the case. There seem to be two distinct atmospheres. On one side we see Warden Gardiner and Dr. Clarke, assisted by many Fellows and friends, successfully engaged on the improvement of the College in its material aspect. On the other we see the same Warden engaged in furious conflict with the 'faction,' struggling with one Visitor after another, and meeting their efforts to obtain a victory by means of Court influence with similar tactics. He realises the idea of the Jewish builders of the ruined Jerusalem;—his sword is in one hand, his trowel in the other; nor could those Jewish builders have been a whit more thoroughly convinced of the sacredness of their cause. The College seems to live in the Courts of the Visitors. Irregular young Fellows take advantage of their opportunity. They remind us of their contemporaries, the London 'Mohocks,' who figure in the pages of Addison; and they are led by the men who have imbibed the principles of Tindal. Religion and irreligion, Whiggery and Toryism, faction and public spirit, refinement and coarseness, seem to be thrown together into the caldron in a confused way which has no parallel in any previous or subsequent period of the College history. Yet order is gradually educed; and these struggles are the last. They were not only the consequence of the accidental meeting of 'stern opposites,' but the natural result of what had taken place previously, the example of Warden Finch, the long abeyance of efficient government, the seething elements of discord which had been the legacy of the Restoration and Revolution, the changes of life and manners.

In all this we find once more a faithful picture on a small scale of the state of the nation. The reigns of William and Mary and of Anne were periods of great perturbation,

social, religious, and political; yet they gave free scope to the energies of good, high-minded men who felt that the time had come at last when they might hope for a permanent result of their labours. On all sides men were sounding the depths and shallows of the Constitution, and testing the limits within which the law forced them to confine themselves; but no one any longer seriously thought of setting law at defiance. The problem of Constitutional government had been solved, not only for England but the world. Instances enough of the litigious character of the times might be quoted if necessary; but as far as Oxford is concerned, the bitterness of the struggle which took place in 1702 between the University and City on a question of precedence, at the reception of Queen Anne, is suggestive [1]. On the other hand, this was, as we have seen, a period of great mental activity, of the foundation of the noble religious Societies which exist to our own day, of the revival of ecclesiastical principles and practice. Political and religious questions intersect one another in every direction.

Bernard Gardiner is more than a Warden of All Souls. He is a public character of whom a good deal is to be said, in his capacity of Vice-Chancellor and Pro-Vice-Chancellor, at the most critical period of Oxford history in modern times. On him it fell to guide the University through the furious conflicts which took place during the end of Queen Anne's reign and the commencement of that of her successor. Oxford, as the very centre of Jacobitism, required a firm hand and a stout heart. If the Vice-Chancellor had been either a Jacobite or a vehement Whig the most serious consequences might have ensued. He was of the party which in reality represented the nation. A decided adherent of the principles of the Revolution, he belonged to the Tory section of that party, the party of Church and Queen, the party of order before all things,

[1] Smith's Oxford Collections, Bibl. Soc. Ant., vol. xi. pp. 293-368.

and Constitutional government. He was the enemy of any further changes than were absolutely necessary, and yet the steady supporter of the Hanoverian Succession, an ardent champion of the rights of the clergy, but by no means disposed to recur to the dangerous principles with which the clergy had too long identified the University. He had been early led to form his opinions; having been one of the members of Magdalen who 'suffered by King James's attempt to force his Dispensations' on that College[1]. As Sub-Warden of All Souls he had done his best to keep the College together in the days of Finch, and to work along with the distinguished men whose names have been already mentioned. He was Keeper of the Archives, an office of importance in the University, and Curator of the Sheldonian Theatre, which gave him a chief voice in the delicate affairs of the University Press. There are several traces of his interest in antiquarian pursuits to be found in Hearne's Diary, almost up to the time of his quarrel with the writer, when he begins to be recorded as 'illiterate.' His family connections[2] gave him considerable influence both in and out of Oxford, and no doubt formed an element in the success of his Vice-Chancellorship.

To that Vice-Chancellorship we shall recur presently. It will be proper to remark here that however vigorous and firm his conduct appears both in and out of his College, he was certainly deficient in the *suaviter in modo*. He made

[1] Letter to Archbishop Wake; Wake MSS., Ch. Ch. Lib., vol. ii. Univ.

[2] He is mentioned in College books as a member of 'an ancient family in Hants.' He was the brother of Sir William Gardiner, of Roche Court, near Fareham, Hants, third Baronet of the First Creation, but the family, though settled in Hants for some generations, was from Lancashire. He married, just before he became Vice-Chancellor, the daughter of Sir Sebastian Smythe of Cuddesdon and Oxford, a cousin of Dr. Clarke of All Souls. Hearne's Diary; 32. 179.

many enemies, and is lampooned in several contemporary letters and pamphlets;—though, as might be expected from his pursuit of a middle course in such violent times, the abuse comes from heated partisans on opposite sides, and one species may be held to neutralise the other. He appears to have been as conscientious as he was able, persevering and indomitable; but stern and uncompromising to a degree which kept his public life in one continual state of effervescence. With the 'faction' at All Souls he was in perpetual war. To all whom he believed to be doing injury to the cause of order in the University outside All Souls he was no less hostile. The best proof that he was not far wrong is to be found in the fact that in University matters he was supported by such men as Delaune, President of St. John's, Baron, Master of Balliol, and Charlett, Master of University; while in All Souls he gathered round him in the improvement of the College all the best names of that date. While this last fact is indisputable, it must, however, be suspected that Clarke, Dodington Grevile, and others of the superior class of Fellows by no means gave him their support in the leading struggle of his Wardenship;—and for a very good reason; they themselves were benefiting by the encroachments on the ancient Statutes of the College which had crept in of late years; and they gave at least a tacit, perhaps a pronounced, assistance to the Visitors, who in the end virtually bestowed on some of these encroachments the force of law.

Gardiner early announced himself a reformer. 'I have reduced the number' [of 'Physic places'] as I promised to do before the whole College in 1703,' says he, in a letter to Tenison of 1709. 'I find the College,' says he, at a later date, 'reduced to a very ill state.' He holds it to be 'his duty to retrieve what he judges amiss by the most probable and gentle methods he can use[1].' He had witnessed the

[1] Letter to Wake, in Wake MSS., Ch. Ch. Lib., vol. ii. Univ.

changes in the College with distress. He knew the history of All Souls: no one better. He had observed, and indeed had been himself an instance of, the good effect of the fresh impulse which had been given by the purification of the elections: but no sooner had the reform been effected than he found another abuse, that of Non-residence, gradually carrying off these superior men one after another, and depriving Oxford and All Souls of their services. The younger residents betrayed the want of a constant steadying power; and the learning of the Society was suffering in consequence. Above all, the clerical element was gradually disappearing; and under various pretexts the College was becoming a sort of thinly-inhabited Club, the occasional resort of non-resident laymen. There were no Undergraduates to afford educational employment to the Fellows; nor did he, it would seem, ever think of introducing them;—how could the College be considered as fulfilling the intentions of the Founder who contemplated forty resident Fellows, all pursuing their studies in College, with an occasional exception perhaps for the Service of the Crown, under the idea of the Fellowship being resigned if that Service became perpetual?

'My Lord,' says Gardiner to Wake, 'I apprehend the Statutes of a College to be the Founder's Will, and may not be distinguished away by every man's arbitrary opinion for his own advantage upon a pretence of alteration of times or such fallacious arguments.'

In 1716 he writes again to Wake:—

'Out of the twenty-four Artists' [designed by the Founder for Holy Orders] 'ten are not arrived to the time when the Founder requires them to be priests; one is lately dead; thirteen are arrived to the time of being priests; of which number nine are dispensed with from Holy Orders,—viz. four perpetually and five annually,—and only four are in Holy Orders, as required by the Statutes[1].'

[1] Wake MSS., Ch. Ch. Lib., vol. ii. Univ.

The change of the All Souls Jurists from Oxford Civil and Canon Lawyers to London Common Lawyers has been already noticed[1]. Their freedom from the obligation to take Orders had become by long custom legitimate (though even this Gardiner disputed), and the system of Dispensations which had crept in everywhere before the Revolution, under the example of the Stuart Sovereigns, enabled them to pursue their profession tolerably undisturbed. Physicians, Members of Parliament, Public Servants, such as Commissioners of various kinds, were numerous both among the Artists and Jurists. All wanted to retain their Fellowships while they performed their respective functions as non-residents; each Dispensation diminished the number of clergymen, and strengthened the growing dislike to take Holy Orders.

It was certainly high time that there should be some clear understanding as to the future. Could a Warden, sworn to observe the Statutes, wink at their entire subversion? As we take leave of the subject in this chapter we may put the case still more in detail. By the Statutes the whole forty Fellows were to be '*clericales*,' to have the '*prima tonsura*,' and be '*ad sacerdotium habiles et dispositi*;' the twenty-four Artists were to take Holy Orders in two years; and as many of the sixteen Jurists as did not publicly give proof of their embracing the study of Civil Law and take degrees in that Faculty, were under the same obligation. Could the gloss which interpreted '*clericales*' as synonymous with 'the whole learned part of the nation,' be admitted? Gardiner thought not. Could the College altogether cease to be a nursery of the clergy, that '*inermis militia*' for whose especial 'increase' and improvement the very terms of the Charter declared it to be founded? He resolved to try the issue.

Whether the Warden could have obtained any amicable settlement by the help of the Visitor, no one can say. There does not appear any trace of such effort on his part

[1] p. 106.

in the early stage of his proceedings. At any rate his method was characteristic. It was not exactly 'gentle.' He resolved to engage in conflict with the whole College single-handed. He entered upon it, not with the sorrowful resolution of Warden Jeames, who in the matter of elections had indeed Sancroft at his back, but with the true joy of battle;—it was a combat all the more glorious because he had no support from the Visitor. He relied upon the trusty weapon which Whitgift had secured to Warden Hoveden—the Veto. This he flourished with all the zeal of a Crusader. He applied it on every occasion when a Dispensation was requested. But unfortunately for his object, he used it too freely. The Fellows challenged his right. He wounded himself instead of his foes. The sword was at last wrenched from his hands by the officer who had bestowed it. It may be well questioned whether the Visitor was right in the matter, but Gardiner, as a matter of fact, left the Wardenship to his successors bereft of a power which the Visitors would no longer entrust to them!

A certain amount of success in his struggle against unlimited evasion of the Statutes did indeed reward the Warden's efforts. The commonest and easiest mode of escaping from the obligation to reside upon a Fellowship and take Holy Orders was to obtain a 'Physic place.' Successive Visitors had encouraged the study of medicine, and the College already boasted of some distinguished ornaments of that profession. But it looked rather like a joke when a 'Physic place' became a mere synonym for a non-resident Member of Parliament or Commissioner. Gardiner, however, was willing to admit that there might be four of these places. An elaborate and very able argument is still extant under his hand to prove that there could not be more than four. In sending this paper to Tenison he makes the remark already quoted,—'I have reduced the number as I promised to do before the whole College in

1703.' The Visitor was convinced by his arguments, and accepted this compromise in the Injunctions which we shall presently notice. The following letter[1] to Gardiner, however, was prior in date, July 23, 1709:—

'Sir,

'Though I have had two letters . . . upon the whole it is my opinion that it was never intended by the Founder that you should have so many physicians as you have already. The provision he made was for the encouragement of students in Divinity and Law. Therefore although I have a great respect for Lord Brook and his family, yet I cannot, because I think I cannot justly, advise the shewing favour to Mr. Grevile by approving his having a Physic Fellowship.'

While Archbishop Tenison was thus prepared to meet the Warden half way as to the Physic places (and to stop the non-residence of the lawyers, as his Injunctions shewed), he entirely disapproved of Gardiner's rigid method of putting his Veto upon all other Dispensations. He would leave matters as to the Service of the Crown where they were. The College should exercise its own discretion as to Non-residence. Indeed his predecessor, Tillotson, had already shown a desire to relax the strictness of the Statutes, or rather to confirm a practice which had frequently obtained, and his letter[2] of November 17, 1694, may be quoted here:—

'Whereas there are several clauses in your Statutes and Injunctions which deprive those of your Fellows who are out of the kingdom, or absent from the College, of divers emoluments of their Fellowships, it is my opinion that such clauses shall be construed with a tacit exception for those which are abroad in His Majesty's immediate service, whose attendance on his Majesty ought not to be to their prejudice, but they ought to be esteemed as present in the said College.'

It was in accordance with this recommendation that Codrington had retained his Fellowship; and some Fellows had been similarly treated when absent as Chaplains in the

[1] Archives. [2] Ibid.

Royal Navy; one also when attending Sir William Trumbull on an embassy[1]. The door had been opened by these precedents; but it was now flung wide open indeed. Whether Tenison would not have been eventually disposed to assist Gardiner in shutting it to some extent, may be questioned when we see his decision on the 'Physic places.' But now a case occurred which does not set him before us in the best possible light, and which seems to have settled his course on the subject. As it involved exalted personages, and brought the matter of Non-residence into public notice, we must give the proceeding somewhat in detail. It affords another illustration also of the way in which politics came to be mixed up with the affairs of Colleges, or at least of All Souls.

A son of Judge Blencowe—'a very great Whig[2]'—had obtained an All Souls Fellowship through the interposition of Archbishop Tenison[3]. He was the grandson of the famous Dr. Wallis, the acknowledged chief of the then very important art of Decyphering, and from his grandfather had no doubt inherited many of the secrets which made him useful as a servant to the Crown in the capacity of Decypherer. For that service he had no less a salary than £200 a year, a large sum in those days. The Warden considered this one of the cases which afforded ground for scandal. Blencowe held a good and permanent situation, not abroad, but at Court;—why should he not make way for some other deserving person in the College? Was this the kind of Service of the Crown for which exceptions had sometimes been made? He thought not. Blencowe was an 'Artist,' and should be made to take Orders, according to the Statutes, or resign. When he declined to take either course, the Warden interposed his Veto on the Dispensation which the Fellows were anxious to grant him.

[1] Letter from Warden Jeames to Sancroft, Tanner MSS. vol. 340.

[2] Hearne's Diary, 53. 205.

[3] Bibl. Lamb., cod. 930. 52.

Blencowe took the step of bringing the Crown into action on the subject, not without the collusion of his patron, the Archbishop, as we must infer from what followed. He obtains a letter from Lord Sunderland, Secretary of State, addressed not to the College, but to the Visitor. On November 19, 1709, Sunderland informs Tenison that it is—

'Her Majesty's pleasure that his Grace should restrain the Warden of All Souls, by such means as he should find effectual and proper, from any further vexation of Mr. Blencowe; so that during his attendance in her Service he might quietly enjoy his Fellowship as fully as if he were in Orders and resident in the College.'

The Visitor was certainly bound to deal with this communication in an official manner. It was his duty to communicate with the Warden, to require a statement of his reasons in the case, to examine the power of Veto which he claimed, and to decide as Visitor in the end upon the whole matter. From what we have seen of their transactions with the College we may certainly infer that Abbot, Sheldon, or Sancroft would have done so. But Tenison takes no further step than simply to write off to the Warden with all dispatch, declaring and pronouncing Blencowe's service under the Crown a good and lawful impediment to his taking Holy Orders, and commanding the College to permit him to enjoy his Fellowship fully and freely. His own letter and Lord Sunderland's are to be entered on the College books.

This was a very tyrannical proceeding, worthy of the days of James the Second. Nor did it come with any the more recommendation to Bernard Gardiner because Sunderland was a Whig, Tenison a Whig, and the Blencowes, father and son, Whigs. The collusion between the parties made it worse. Blencowe had also told Gardiner 'to his face that they' [the Fellows] 'had made a common purse against him[1].' His indignation reached boiling-point.

[1] Letter to Wake: Wake MSS., Ch. Ch. Lib., vol. ii. Univ.

Vernon however was soon led by the force of circumstances to take a more Constitutional step. When he acted in the manner just described his political party was so triumphant that they might well think their lease of power perpetual. Nothing could be further from the thoughts of the Whigs in November, 1705, than that the imposing fabric of their power, built on the magnificent success of Marlborough, should be shaken to pieces by an obscure fanatical preacher in the course of one month from that date. In December of that year Sacheverell's sermon had sold to the number of forty thousand[1]: and Sunderland himself, as a main agent in procuring his trial, became the author of his own political death-blow! In June of the next year the seals of his office were transferred to Lord Dartmouth.

Gardiner now saw his opportunity. He had good reason to suspect that the Queen had allowed her name to be used in the matter of Blencowe without much consideration. She had been told that an obstinate Head of an Oxford College had interfered with one of her servants; and she gave her consent to Sunderland's action accordingly. But the turn of events had pretty well exhibited her real sentiments. 'God bless the Queen and Dr. Sacheverell' had resounded through the streets of London. She had been led to identify the Church with a man whom she, with her natural good sense, instinctively disliked; for she found that the whole clergy of the realm, except the Whig Bishops, stood by him when it once became a party matter[2]. She had especial cause to turn her attention to Oxford, for the Vice-Chancellor of that University stood surety for the audacious priest[3]; Atterbury defended him with all his ability, and Sir Simon Harcourt was his consummately-able counsel. Some of the most moderate men in

[1] Lord Stanhope's Queen Anne, p. 405.

[2] Ibid. p. 413.

[3] Ibid. p. 409.

Church and State, Shrewsbury, Sharp, Compton, had in fact rallied to the side of Sacheverell, though none had taken a more decided part in the Revolution [1]. It seemed a great national crisis, mixed up with a thousand other issues; the Queen had decisively taken her side, and, as events shewed, the nation was with her. The Warden of All Souls, as soon as the Whigs had been dismissed from office, resolved to see whether he could move Her Majesty by way of Petition.

In this Petition Gardiner states the bearing of the All Souls Statutes on the subject of Fellowships, and prays that 'he may execute them without incurring Her Majesty's displeasure. He trusts she will not allow the pretensions of Mr. Blencowe to be the occasion of suspending the authority of Statutes to the observance of which both he and Mr. Blencowe are equally bound by oath [2].' He had not miscalculated. The matter comes before the Queen in quite a new light, but she will not act hastily. She 'graciously receives' the Petition, and hands it over to the Law Officers of the Crown for an opinion. In December of that year they return that the Queen should be advised to leave the whole matter to the Visitor. In the following March, however, she takes a more decided step. She will follow the advice of her Lawyers; but she will express her opinion that the error into which she had been formerly led by Sunderland should not prejudice the case; she would do all in her power to remedy the mischief. Lord Dartmouth, the Secretary, is instructed to tell the Visitor 'that she did not approve Mr. Blencowe's insisting on his being in her service to excuse him from conforming to the Statutes of his College, nor that the letter of Lord Sunderland should be used for that purpose. As the said letter of the late Secretary was transmitted to the said College by you, your Grace will be pleased likewise to transmit Her Majesty's

[1] Lord Stanhope's Queen Anne, p. 415.

[2] Gardiner Papers, *penes custodem.*

Declaration herein to the said College with all convenient speed, to the end that all persons may know and take notice of Her Majesty's intentions and pleasure in this behalf.' We may be safe in conjecturing that however much or little the Queen may have been personally concerned in the former letter of Sunderland's, she conveyed her own decided sentiments in this letter of Lord Dartmouth's.

If Gardiner's authority may be accepted on this point we have it in the following letter written to Wake a few years afterwards, (Dec. 4, 1719):—

'My Lord; As to any favour procured by Mr. Blencowe from the Queen relating to a Dispensation from Holy Orders it was not granted by advice of Her Majesty's Privy Council, but it was formally revoked by Her in open Council, after a public hearing before Her Attorney and Solicitor General. It cost me sixty pounds to have the trial; but I who had suffered by King James's attempting to force his Dispensations on Magdalen College, thought it my duty to hinder such a precedent here[1].'

Archbishop Tenison, however, treated the last letter in a very different manner from the first. That first letter had been ordered by him to be entered on the College books. This one he is indeed obliged to transmit; but no such order accompanies it. It is formally sent to the College by his Secretary, without note or comment. That Her Majesty's gracious communications should be treated with such respect when they told against the Warden, and with such neglect when they were in his favour, was more than Gardiner could bear. He determined to write out the letter himself in the same 'Chained Statute Book' where the previous letters had been formally inserted. The Fellows took their revenge. Underneath the letter, which may still be seen written in Gardiner's beautiful hand, the two Deans of the College, Littleton and Willes,—the last of whom became Attorney General,—registered the statement that the Warden had

[1] Wake MSS., ut supra.

entered the letter 'without any order from the Visitor, and against the opinion of the Fellows and Officers.' A distorted account of this affair reached Hearne [1], who makes it the subject of a bitter charge against Gardiner.

This particular act of the Fellows was never forgiven or forgotten by the Warden. It is one of his formal complaints, in 1719, at Wake's Visitation. Dr. Bettesworth, the Visitor's Commissary, replies on that occasion:—'You can write again under them.' Gardiner rejoins with dignity:—'I was not up to such proceedings.'

This was at the second Visitation of Gardiner's era; we have not yet come to the first. That there have been only four regular Visitations in more than four centuries has been noticed above [2], but that two of these should take place in the course of *one*, not very long, Wardenship, is remarkable. The mere fact is a sufficient commentary on the condition of the College, and a justification, it may be hoped, for the length of these details. This was one of the critical periods of the College. Cranmer's Visitation was no doubt necessary on all grounds, moral and religious. Whitgift's shewed that Elizabeth's beneficent reign, while it had quieted religious differences, had added to the social irregularities which called for the Visitor's interference. Tenison's and Wake's betrayed the necessity for fresh interpretations of the ancient Statutes. Law and custom were vehemently invoked on either side by the disputants. Neither would be satisfied without a settlement. Yet nothing could be so unpopular with those whose presumed fault called down upon the College such an expensive operation. The Visitor's Commissary was the Dean of Arches, or some other legal magnate, whose enquiry involved many days' time, the hearing of many witnesses, expensive entertainments, and various accessory items. Even though Tenison's Visitation was avowedly in the interest of the Fellows, Hearne describes the excitement it caused, and

[1] Diary, 29. 119. [2] p. 62.

tells us that the Citation was torn down off the gate of the College[1]!

The date of the Visitation affords a clue to this otherwise unaccountable excitement, as also to Tenison's reasons for making it at all. It is in September, 1710, not long after the change of Ministry had been completed, Sunderland dismissed from office, and a fair field opened for the indomitable Warden to make his interest with Anne and her new Ministers,—as we have seen he did,—for the abrogation of the Whig decisions. Whatever Gardiner may do, the Visitor will settle this question of the Veto upon College Dispensations summarily. The Citation may be torn down by the party, which no doubt was strong on the side of politics all the time, though equally strong against the Warden's interference with their customs; but he will proceed. The strife had produced of course a crop of minor complaints, and he had quite sufficient excuse.

To make a long story short, the result was that the Warden's Veto upon Dispensations was abolished, and the College was left to do what it liked. The arguments on both sides may be consulted in the Lambeth Library[2]. It is clear that the Warden's Veto or Negative had never been seriously questioned till now. Even as late as 1699, when the Fellows disputed Warden Finch's power to exercise the office of Scrutator at elections, they say that 'no prejudice is hereby designed to the Warden, whose negative is still left entire.' The Veto on elections to Fellowships had been held to cover the Veto upon Dispensations as well as that which had been specially guarded by Whitgift, the Veto on the election of officers. This was no longer to be so. The Visitor acts officially upon a foregone conclusion. On the other hand, as we have seen, he limits the number of 'Physic places' to four; they must be all bona fide 'students of Physic;' and if, after having obtained Dispensation from Holy Orders on this

[1] Diary, 26. 125.

[2] Cod. 939. 21.

ground, they take to practice at the bar, they forfeit their Fellowships. The principle of Non-residence had thus been in reality carried. The Blencowe case had been settled under the general formula. It did not much signify what the Queen might write, or Gardiner insert in the 'Chained Statute Book.' He might record his dissent to Dispensations, as he constantly did year after year; but the College could always override that dissent. Nor, when the Public Service was thus so widely thrown open to non-resident Fellows, could the non-residence of the Common Lawyers, which was forbidden by implication in the Injunctions of the Visitor, be long retained. The Veto on Dispensations was gone. From that day forward the Non-residence of the Fellows of All Souls has been one leading characteristic of the College.

Only one more Dispensation was necessary for Mr. Blencowe, and to that the Warden of course registered his dissent. The Decypherer to the Queen committed suicide soon afterwards[1]. Perhaps, however, the resistance of the Warden was not altogether without effect during his lifetime, and for some years subsequently. Some sort of check was given to indiscriminate evasion of the Statutes. The Dispensations were still granted only from year to year; and many of them were simply to enable a Fellow to hold a temporary office, as 'because Mr. —— is Parliament Man.' The College is at least delivered from the anomaly of having any number of its Fellows without limitation reckoned as quasi-Physicians.

This chapter may conclude with a notice of the material improvements of the College in which Warden Gardiner was perfectly successful. From the first year of his appointment he began to collect funds for the restoration of the Chapel, and he registers with becoming pride the contributions which

[1] Hearne's Diary, 38. 246; Gardiner to Wake, Wake MSS., ut supra.

annually come in. But Dr. Clarke was the first to complete any portion of the new work of Queen Anne's reign. 'God send us more such noble benefactors!' is the Warden's entry in 1703, when Clarke makes his offer to build new Lodgings for the Warden, on the sole condition that he might himself inhabit them till his death. The offer was accepted, and the present house completed by 1706. It is not the least interesting circumstance of its erection that the greater part of the site was purchased with a sum of £200, the gift of Mr. Snow, an ancient servant of Sheldon's at All Souls before the Civil War, and who, after the Restoration, became Treasurer of the Household to his old master at Lambeth, continuing in the same capacity with Sancroft, Tillotson, and Tenison. In his extreme old age his memory reverted to the inconvenient abode of the Wardens of early days, and, long accustomed to the conveniences of Lambeth, he would shew his gratitude for the past by assisting the future successors of his beloved patron.

Dr. Clarke also bears an important part in the affairs of the new Chapel. He, like so many other cultivated men of that age, was an able amateur architect. Every part of the plan was submitted to him, and we shall see that he had a great share, along with Hawksmoor, in all the rest of the new work. His particular contribution to the Chapel was the costly marble entablature,—'that noble ornament of marble,' as Warden Gardiner calls it,—which, nearly sixty years later, was filled in with Mengs' picture of the 'Noli me tangere,' painted for the College at Rome. The interior of the Chapel under these auspices assumed quite a new form. We have seen that it had been made decent in one sense, but according to Evelyn, not in another, at the Restoration; but to men of taste and liberality its mean condition must have been painful. With Wren, still even in his old age the architectural monarch of the time, nothing else could be done with it but to entrust it to Thornhill,

the great painter and decorator of the day; and in 1715 Gardiner obtains leave from the College to complete the work according to the scheme which the contributors had agreed upon. Grevile undertakes the expense of transforming the body of the Chapel on the Italian model, and it accordingly dons its mantle of gold and green, with a canvas ceiling of the same colour to hide Streater's wooden panels. Mr. Palmer pays for Thornhill's fresco of the Assumption of Chichele, which covers Streater's painting of the Last Judgment, and which even Hearne admits to be 'very fine[1].' Sir William Portman, Mr. Portman, Mr. Webb, and others provide the new screen, or rather for its 'alteration both in respect to beauty and convenience;' and the College makes grants of its own, especially from the 'College savings in Gaudyes' and from sconces (or fines), for other parts of the work.

Such an Italianisation of a beautiful Gothic Chapel seems scarcely comprehensible in the present day; but the result was greatly admired at the time; and even as late as the commencement of the present century, Chalmers[2] speaks of All Souls Chapel as one of which the visitor carries away a more agreeable impression than of any other in the University. This, to be sure, was written long before the modern restorations were made which have now affected nearly every College Chapel, and before the increasing dimness of the decorations at All Souls had produced that dreary appearance with which our own times became familiar. Happily, a spirit equal to that of the Warden and Fellows of Queen Anne's reign in munificence, and superior in taste, is already engaged in a true restoration worthy of the reign of Queen Victoria.

[1] Diary, 77. 15.

[2] History of Oxford Colleges.

CHAPTER XX.

Archbishop Wake and Warden Gardiner.

1714–1726.

Opposition of the Whig Visitor and Tory Warden — Gardiner as Vice-Chancellor — Ayliffe — Hearne — Wake saves the University after the death of Anne — Trelawny, Bishop of Exeter — Wake's Visitation of All Souls — Appeal to Wake against the College — Dr. Clarke.

It is remarkable that no one should yet have thought it worth while to give the world a detailed Life of Archbishop Wake. It will be difficult to find a Primate of the Reformed Church, if we except Parker, who more deserves our respect for his learning and industry, his government of the Church at home in a time of extreme difficulty, or his extended views of the duty incumbent on the Primate of all England in reference to the Christian world. The mere inspection of his voluminous MSS. in the Wake Library at Christ Church cannot but leave a vivid impression of the greatness of the man. The many volumes of letters addressed to him on ecclesiastical matters from the various Continental Churches of the West, the Oriental Churches, and the British Colonies, suggest the title of *Papa alterius orbis* given by ancient Popes of Rome to English Primates. The masses of annotations in his own hand betray the process by which Wake became the acknowledged chief of all writers on the Constitutional position of the Church of England.

It is not so easy to arrive at a correct estimate of the character of his relation to All Souls in the capacity of Visitor. We find Warden Gardiner at war with him pretty much as he was with Tenison. He, like Tenison, holds a Visitation of the College, and carries still further the process of reducing the influence of the Warden in protecting the observance of the Statutes. In his second conflict with Gardiner he is apparently in the wrong, and that too in a matter in which his own interests are promoted by the cause which he adopts. The Warden must, however, have been a very difficult person to deal with, and it may be questioned whether the Visitor could, in the first case at least, have pursued any different course. Both knew one another too well before their All Souls struggles. They had each been intimately concerned in the delicate task of governing Oxford during the critical years of the Hanoverian Succession. Wake was a decided Whig; Gardiner an equally decided Tory. The last had been more mixed up with University affairs; the first was far more conversant with the world at large.

Perhaps as the danger which the liberties of Oxford University incurred, and the narrow escape it effected, under the guidance of Wake, Gardiner, Delaune, Smalridge, Baron, and others, have never yet been presented to the public, a few extracts from letters of the period may not be unacceptable. By watching Gardiner's and Wake's parts respectively in the politics of Oxford we shall understand better their more domestic broils. And first we may briefly dismiss the Warden's Vice-Chancellorship by a notice of a few salient points.

Gardiner was Vice-Chancellor from 1712 to 1715, the years when the Tories were in the ascendant, when the Peace of Utrecht brought both parties out into the keenest conflict known since the time of the Exclusion Bill, when the death of Queen Anne brought forward once again the Whigs, and when the question of the succession was peace-

fully settled by the patriotic sacrifice of Tory prejudice to the felt necessity for resisting the return of the Roman Catholic Stuarts. The Jacobite sentiment, which had been more or less suppressed for upwards of twenty years, now flamed in Oxford to its highest. Every Oxford man was obliged to take a side. The opposition of the anti-Jacobites very naturally expressed itself in accents as wild as those of their opponents. Moderation was an unheard-of word. Nor can any one wonder at this when he remembers the bitterness and ability of the pamphlet writers in the Metropolis, the coarse vehemence of the Swifts and Priors, the Arbuthnots and Defoes.

It was Gardiner's fortune to distinguish his term of office by three distinct acts of the most irritating kind to either set of combatants. He was chiefly instrumental in the expulsion of Ayliffe, the author of the 'Ancient and Present State of the University of Oxford,' for matter contained in that book. In the course of the narrative advantage had been taken of the numerous abuses which had crept into the University and Colleges for the purpose of reflecting upon the authorities, and, amongst other things, on the Stuarts and their government. In the present day we should not have thought of dealing harshly with the author; and even under the delicate circumstances of the year 1714, the treatment of Ayliffe must be allowed to be harsh. But the Convocation of Oxford supported the Vice-Chancellor, and must share such blame as attaches to him. The book was in their eyes libellous and dangerous. The war of pamphlets which ensued is suggestive as to the state of the University.

Before this, however, the part which Gardiner had taken in putting a stop to the annual oration of the *Terræ Filius*, had rendered him sufficiently unpopular, chiefly perhaps with the Jacobites, for this oration afforded the grand opportunity for a party triumph, and their party was strong. The scurrility and grossness of these orations have been previously

noticed [1]. We have seen that the Heads of Houses were as shocked at it as Evelyn himself in 1669, but no one had been found during the subsequent half-century of sufficient spirit to deal with the monstrous abuse. When political virulence was at its height we may conceive what these orations had become. Gardiner understood the crisis, and resolutely prohibited the speech. We may judge of the sensation produced by this act from the entry of Hearne in his Diary [2], where he describes with exultation how the undelivered speech had been circulated in print, and how it had annoyed the Vice-Chancellor and Heads of Houses so much that it was publicly burnt by the vote of Convocation; but he had heard that some foul play had taken place! If the votes of Convocation had only been properly taken, it would have gone the other way! Sensible men, however, as devoted as Hearne to the preservation of all that was old and venerable, looked on in a different spirit. Tanner [3] rejoices at the cessation of a flagrant scandal, and even Carte [4] approves of the act of the Vice-Chancellor and his friends. It was many years before an 'Act' was held again, as the omission of the ceremony was thought the best way of suppressing the inveterate abuse which had clung to it. The check given by Gardiner was decisive; the custom decayed, and soon disappeared.

Hearne was still further offended at Gardiner's conduct at this time as Curator of the Theatre, for in the exercise of his office he transferred the University Press from the Theatre to the newly-erected Clarendon Buildings, and, being also Vice-Chancellor, was responsible for substituting the name of Clarendon for that of Sheldon, 'the true benefactor of Oxford printing [5].' No one, we may be sure, would have rejoiced more than Sheldon that the name of Clarendon should

[1] p. 227.
[2] Oct. 3, 1713.
[3] Ballard MSS., 4. 60.
[4] Letters from the Bodleian.
[5] Diary, Oct. 28, 1713.

be perpetuated in the stately buildings erected out of the profits of the 'History of the Great Rebellion,' and that his own undoubted claim to be the father of the Oxford Press should be forgotten in favour of his dearest friend.

The cup of the poor antiquarian's wrath was soon, however, to be filled to overflowing. Both as Vice-Chancellor and Pro-Vice-Chancellor Gardiner had much to do with Hearne's expulsion from his offices in the Bodleian Library. They were inferior offices, but suitable for his antiquarian pursuits. A very full and particular account of this affair has been given by himself in his Autobiography and Diary, and to those sources of information, as the subject is much too minute for our present purpose, the reader must refer. We only hear one side in Hearne's pages, but enough comes out to shew that the fiery Jacobite was far from sufficiently cautious in the use of his public office at such an excitable period. The crisis of the Hanoverian Succession was at its height, and Oxford, as we know, required the presence of the famous 'troop of horse,' which figures in the well-known epigram, to keep it straight.

If the incendiarism of any Jacobite might be overlooked, it ought to have been in the case of one of the most learned and industrious men England has produced; but a very little knowledge of his numerous prefaces, as well as unprinted papers, will shew that the governors of the University may have had reasonable ground for their proceedings. In his Diary he generally calls the Pretender 'James the Third.' The Hanoverian family are never mentioned except with bitter contempt; and he inserts anonymous verses upon them of the most indecent character, which may or may not have been his own. Dr. Charlett reports to Wake[1] that Hearne was used 'with all the lenity and gentleness imaginable,' and Charlett was himself accused to the Archbishop by David Wilkins of being a Jacobite—falsely no doubt;

[1] Wake MSS., ut supra.

ut the mere fact that he was open to the charge shews e was not a mere partisan. Few people are more abused y Hearne. Dr. Clarke again calls Hearne 'that perverse ditor,' and says,—

'I think it very right to forbid him the use of the University Press if he will not subject what he puts out to the spection of his superiors, who have already suffered enough r his follies[1].'

This was no doubt the official view. At the same time terature owes much to Hearne's independence and courage. His faults were very much the product of the times. The tudious child of a parish clerk, he had been patronised by he most vehement and eminent Nonjurors, and he conscientiously adhered to his principles. He declined various offices,—among others a Chaplaincy at All Souls which Gardiner offered him,—and refused to stand for Professorships because he would not, in the days of the new dynasty, ake the necessary oaths.

Against All Souls he had cherished a special grudge from he first; and now, the Warden having, as he conceived, become his persecutor, he had no mercy upon that College n his Diary. One of his earliest charges against it is in 706, when he tells with a profound gravity, most amusing nder the circumstances, how some members of the College hewed their anti-Jacobite principles.

On the sacred 30th of January two of the Fellows of All Souls were joined at dinner in the College by two of he Pro-Proctors and two Fellows of Oriel. 'An abominable iot' took place. On the table were some woodcocks, the eads of which were cut off 'in contempt of the memory of he blessed' martyr.' They had been 'for having calves' eads, but the cook refused to dress them[2]!' Again:—The matter is kept as secret as possible, and I cannot learn whether the Warden inflicted any punishment, or what repri-

[1] Ballard MSS. 20. 60.

[2] Reliq. Hearn. i. 121.

mand the two Pro-Proctors had from the Vice-Chancellor.' It does not seem likely that, if the tables had been turned and Hearne in power, much mercy would have been shewn to these audacious offenders. And on another occasion he remarks of the Fellows of All Souls:—'Tis stuff for men to pretend oaths that have no respect to them in matters of a higher nature, their duty to Rightful Soveraigns[2].'

To this disgust with All Souls we owe many a useful notice; but it is evident that we must take his depreciation of the College with some allowance. The evil spell seems to have been on him to the last; for towards the end of Hearne's career he had apparently very real reason to complain of the usage he received from Bilstone, a Chaplain of All Souls, assisted by persons of more importance in other Colleges[3].

This is not the only occasion when the persecuted antiquarian demands our sympathy. The following case,—and even here, though All Souls is not said to be concerned, the name of one of its Fellows occupies a suspicious place,—occurs in a letter written to Archbishop Wake by the famous David Wilkins, the author of the 'Concilia.' Wilkins does not come out well in his Oxford character of a sort of spy for Archbishop Wake; and indeed he soon made the place too hot for him, as we might guess from the following, dated January 17, $171\frac{5}{6}$:—

'Mr. Chicheley, of All Souls, is reckoned a very ingenious man, an honest, steddy and hearty Whig. That sorry wretch, Hearne, has lately struck his name out of the buttery in Edmund Hall and battels there without it, on purpose that the oaths might not be tendered to him; but I have made interest by Mr. Bradshaw to have him called before a Justice of Peace for to make him a Papist convict, or to burthen his conscience, if he have any at all, with perjury[4].'

[1] Letters from the Bodleian. [2] Diary, 120. 4 I-

[3] MS. Autobiography, pp. 73–76.

[4] Wake MSS., Ch. Ch. Lib., Miscellaneous Letters, vol. iv.

This brings us to Wake's share in Oxford affairs. The employment of his learned and low-minded agent in the office of a delator—we have no reason indeed to connect the Primate's name with the act just mentioned—does not seem creditable; but we must now shew how profoundly the whole University was indebted to him for the preservation of its rights and privileges at a time when its affairs were in such a state that expedients of this kind seemed necessary. Amongst his MSS. may be found a letter from an irate Whig[1], of this date, asserting that 'rebellion is avowedly owned and encouraged' (at Oxford), 'and that the principles of rebellion are diffused from hence through the whole nation. There are several Houses where there is not so much as one (what they please to call a) Whig.' In the same place the Draught of a Bill may be read by which the King in Parliament was to suspend the whole constitution of both Universities, and 'to nominate and appoint all and every the Chancellor, Vice-Chancellor, Proctors, and other officers of the said Universities, and all Heads of Houses, Fellows, Students, Chaplains, Scholars and Exhibitioners, and all members of and in all and every the College and Colleges, Hall and Halls in the said Universities, or either of them, upon all and every vacancy and vacancies,' &c. No less than fifteen Bishops had supported this proposition, which they desired should hold good for seven years[2].

Side by side with these violent proposals, the product of alarm and despair, appear letters from old Jonathan Trelawny, Bishop of Winchester, who as Visitor of several Colleges uses his very utmost efforts to dissuade Wake from listening to his brother Bishops. As one of the famous Seven he remembered well the days when 'Shall Trelawny die?' had well nigh brought 'thirty thousand Cornishmen' to London.

[1] Ibid. vol. ii. Univ.

[2] Letter from the Bishop of Ely to Archbishop Wake; Ibid.

He was well aware how very little more was required to bring on a civil war more formidable than the Pretender's ill-starred enterprise.

'I doe stil agre,' says he, 'that both Universityes ought to be scourged into perfect duty and better manners to the King and his family, in whose hands I pray God the sceptre of these kingdoms may continue for ever, but I must be excused from giving my vote for altering the methods of elections into Westminster School and thence into Christ Church, in which College I had my bread for more than twenty years. . . . I would rather see my son Edward a link-boy than a Student of Christ Church in such a manner as tears up by the roots that Constitution.'

And again:—

'I don't doubt but the Government will find this' [the power of the several Visitors] 'of itself effectual for the subduing the University to their duty to the King and withdrawing their affections from the snivel of a Pretender.'

And again:—

'I shall humbly hope that your Grace by your great influence,—I am sure of your strongest inclination,—will prevent destructive violence to the University by a new law, or a forced interpretation, and make yourself a greater founder than Wickham or Chicheley by keeping your Colleges firm on the foot they left 'em. Each of them gave but one College, but your Grace by preserving gives all to both Universities. . . . I beg, I beg, I beseech your Grace to have no hand in the Bill[1].'

Of the conduct of the Archbishop referred to in the first of these three extracts it would be well if we had some explanation, as it has a suspicious appearance; but, speaking generally, the correspondence shews that he held the rod *in terrorem* over the peccant Universities with much skill; he rebukes, he threatens, he encourages and persuades.

'I have not been wanting,' he tells Gardiner, after the riot which took place on the Prince's birthday, 'in my endeavours to prevent that storm which has lately seemed to threaten

[1] Wake MSS., ut supra.

you. . . Nothing shall be wanting that I can do to testify my respect to the University that is consistent with that higher duty which I am sure you will always esteem me obliged to pay to the security of our present happy establishment in Church and State[1].'

Even in 1717 the danger was not past. Trelawny begs for only

'one year longer to try whether they will make their promise good. The unfruitful tree can but be cut down then, and the defence of every College at our Bar—and that cannot be denied—will take up at least that time. . . . If your Grace can get this proposed execution reprieved for a year I will venture all I am worth and my head that the University shall strictly behave themselves with that duty they ought, and I hope my word may be taken since I went so early into the interest of King George, and will, by God's blessing, even do my utmost to continue him and his family on the throne for ever[2].'

The importance of such a Primate as Wake at this crisis cannot be exaggerated. Atterbury was now a Bishop, but his influence at Oxford was immense; and Wake knew that only too well. It was perfectly understood that the Archbishop's advice would be considered decisive in all matters relating to the Universities. He weathered the storm by keeping up the alarm of Trelawny, Gardiner, Baron, and the rest till the danger was over. They alone could influence the mass of the Tory party, and prevent the old-fashioned Churchmen, who hated the new Government, from desperately throwing in their lot with the Pretender. They might themselves regret the days of Queen Anne, but they loved the Church of England and their Alma Mater too well to hesitate at the crisis. They could be trusted to do their utmost; they acted with decision and ability. Wake was able to prevent the Bill from going further.

Gardiner incurred the wrath of Hearne once more when he publicly notified, as Vice-Chancellor, that the first anni-

[1] Wake MSS., ut supra. [2] Ibid.

versary of King George's reign was 'a just occasion of rejoycing.' 'Dr. Gardiner, our present pharisaical Vice-Chancellor[1],' is the scornful epithet bestowed upon him by the stern Nonjuror for such flagrant disloyalty to 'James the Third.' But the University was with Gardiner on the whole, in spite of his enemies. On his relinquishment of office he received the grateful thanks of the new Vice-Chancellor and Proctors. The approbation of such men as Dr. Charlett and Tanner followed him. He and his friends, under Wake, saved the University. The same thing was going on all over the land. Out of these complicated hopes and fears arose the England of to-day!

The experience Gardiner obtained as Vice-Chancellor did not improve his position as Warden. So many University conflicts of various kinds must have brought out in one form or other the party-action of the Fellows, and we left the Warden after Tenison's Visitation in a sufficiently painful relation to them, without any additional fuel added to the fire. From Gardiner's letters it would appear that the Visitor had listened to *ex parte* statements of his opponents.

'A College must be destroyed if the chief Governor of it is by ill arts kept at a distance from the Visitor, and none admitted to him but those who are liable to punishment below, as was our case[2].'

'Your Grace is the father of our family, and 'tis not fit that what is so obvious to every one else should be concealed from yourself only[3].'

A scandal had occurred among the Fellows. It seems to have been a gross case, and that the Warden was justified in insisting on its punishment: the offenders found support in the College. The Warden resorts to his old weapon, the Veto, in order to secure support on his side. This was the

[1] Diary, 53. 202.

[2] Wake MSS., ut supra; Letter to Wake, June 8, 1716.

[3] Ibid. Dec. 22, 1716.

branch of his prerogative which Whitgift had specially confirmed, and even Tenison had not abolished the Veto upon the annual election of 'officers,'—bursars, deans, and the like. Gardiner had never, he says, used it till now[1]; but, as in the former case, his trenchant method proves too violent. The College is brought to a dead-lock. The war between Warden and Fellows is internecine. It becomes notorious and avowed. Both sides found it absolutely necessary to call in the Visitor once more. Indeed on the very day preceding the Visitation the Visitor has to send down a special message to put a summary stop to the Sub-Warden's proceedings, as he was insisting on the employment of certain workmen whom the Warden was ordering to desist. The College is in rank mutiny[2]!

The Commissary, Dr. Bettesworth, now finds it necessary to lose no time, and the mutual complaints of the combatants may still be read. The Fellows have much to say against the Warden's provoking and litigious ways, but the Warden's own account of the 'faction' is enough to explain his troubles, if only half of it were true; and after all deductions more than half remains. One of them has absconded with the College chest; three have neglected to take Holy Orders without any Dispensation; Chapel is ill attended; the Services ill performed; the Sub-Warden himself scarcely ever present. One Fellow 'alleges that he cannot agree with our Service. He follows Mr. Howell's book[3].' The Divinity disputations are ill kept. Some of the Fellows insist on standing covered in his presence; but this they deny, declaring that they only stand covered in his presence when on the *step outside* the College gate,—a nice distinction! Some 'lie constantly outside the College;' some lounge about

[1] Wake MSS., ut supra; Letter to Wake, Dec. 21, 1716.

[2] Gardiner Papers *penes custodem.*

[3] A book on Schism was published by Lawrence Howell, the Nonjuror, for which he was degraded and imprisoned in 1717. Hearne notices his case.

in College half-dressed; some 'keep dogs to the great disturbance of the Society, or beat the College servants, or sconce them unreasonably, or when the Warden or Sub-Warden is in Town, punish them.'

The Commissary evidently found it hard to keep his countenance in hearing the evidence on both sides in this domestic lawsuit; but it was no laughing matter to the College. The expense of the process cured the propensity to litigation; and the judgment, by some sort of rough justice, certainly brought peace. But it does appear at this distance of time to go somewhat harder against the Warden than the evidence warrants. Either there were aggravating circumstances in his conduct which we do not get at through the accounts he has transmitted, or the feud between him and the Visitor found some sort of expression through the Visitor's Commissary. None of his opponents appear to receive any punishment, except indeed that the gentleman who ran off with the College money is expelled, and the Warden's power in granting rooms to Fellows is confirmed as against the Sub-Warden; but the Warden is deprived of the Veto with which he had fought his battle. A great effort was made to deprive him also of the Veto upon election of Fellows; but whether from the overwhelming evidence in favour of its retention, or fear of the return of 'corrupt resignations,' this last and most important part of the prerogative survived intact. The little Monarchy was changed by the two Whig Visitors into a Republican form of society; but the President still continued in possession of a very strictly limited sovereignty. On a small scale Gardiner had acted the part of the Stuarts; and All Souls, like the nation, passed, through a revolutionary period, into a free, self-governing corporation under monarchical forms. Enough was retained of the old régime to become effective, if necessary, for checking anarchy.

At any rate the Commissary believed he had settled the

new constitution on a most perfect basis. He reports to the Archbishop that he had told the Fellows it would be 'their fault, if under your protection, considering how much their great Founder had distinguished them from other Colleges, they were not the most flourishing society in the world[1].' But Dr. Clarke, who was now living in the house he had built for the future Wardens, and whose judgment we have seen reason to respect, gives a more qualified praise to Wake's settlement.

'I cannot,' he writes from London to Charlett, 'but be glad to hear that his Grace of Canterbury has sent his Injunctions to our College, though I cannot say that I wish them exactly as they are; however in the great points they are undoubtedly right, and if the authority of the College is supported in the execution of them, will tend to the restoring of some sort of discipline, and put an end to many unwarrantable evils[2].'

'It is unlucky that his Grace was of opinion that the Warden should not be allowed to inspect the Scrutiny' [of votes], 'as was ever the custom since the Foundation of the College for ought that is known to the contrary[3].'

One of the first results of the settlement is that the Warden fails to prevent Harrison, a Fellow of the College, from holding his Fellowship along with an Oxford Professorship to which he is elected. But he now gives up the struggle. He becomes afflicted with the gout, which perhaps is some excuse for his testiness; and obtains leave from the College — given no doubt with hearty good-will — 'to goe to y^e^ Bath[4].' From that place many of the later letters of the wearied valetudinarian are directed. He thus (on October 30, 1719) pours his griefs into the ears of the Visitor, who was not, it must be feared, likely to pay much attention to them.

'I believe there is hardly such another instance of trouble given to any Head of a House in either University as has

[1] Wake MSS., ut supra.
[2] Letters from the Bodleian.
[3] Ballard MSS. 20. 103.
[4] College Order Book.

been given me for these many years; and for no immorality, I thank God, no neglect of duty, as non-residence, or the like, with any of which I have ever defy'd my most inveterate enemies to charge me; but to speak plainly, my Lord, 'tis for pursuing the violatours of the Statutes of Holy Orders and the Common Lawyers [1].'

He even contemplated resignation, but thought better of it.

'Now that I have stood the test of two Visitations without any accusations, as I verily believe, of neglect of my duty or of any conduct but what becomes an uncorrupt governor and a good Christian, I am not without hopes that your Grace will bestow some marks of your favour upon me. If anything offers itself to make my family some amends for parting with my Headship I purpose to make room for some one who may do that good here which I have attempted to do but have failed of it. The truth is the expense I have been put to several times has been so very burthensome as to make the place hardly worth my keeping for some years past, if I could with reputation have quitted it till these trials were over [2].'

Another letter in the Wake correspondence of this period proves that the trials of the Warden were not only from within the College. There was still something of the same pressure on the part of great people which we have witnessed in Stuart times. Lord Abingdon complains to the Archbishop [3] of the 'usual obstinacy of the Warden of All Souls in denying the scrutiny of votes' (on an election to a Fellowship) in the case of a person in whom the Earl was interested, and who would otherwise have been elected. It turns out that this favoured candidate was 'grossly ignorant.'

On a review of the Warden's whole conduct, we cannot but give him credit for trying to do his best. It is impossible to imagine a greater variety of impediments in the way of a reformer. Visitors, hostile from political causes; Senior Fellows of the highest character interested in the success of the

[1] Wake MSS., ut supra. [2] Ibid. [3] Ibid.

effort to secure non-residence; and a 'faction' of whom a large proportion evidently consisted of the same sort of dissipated young men of family and fortune whom we meet with in the London society of that period. The influence of Tindal was all against the Warden, as we gather from many incidental hints. He had several followers in the College, though his habits were as disagreeable as his character was tainted. The contemporary pamphlets, making all allowance for polemical bitterness, are conclusive on this point, and he was certainly once subjected to a public 'admonition' from the College for immoral conduct. The Warden's 'failure' under all the circumstances was by no means so great as might have been expected.

At any rate, at the expense of his own purse and his own ease Gardiner brought the affairs of the College to a settlement; and succeeding Wardens find nothing left for them to do. He is the last who has stamped his mark on the history of All Souls. Perhaps a greater compliment could not be paid him,—the greater because undesigned,—than one that occurs in a letter from one of his chief opponents who had occasion to mention Warden Hoveden. That excellent Warden is spoken of as the 'Gardiner of his day[1].' The likeness consisted in their common resistance to the license of certain of the Fellows in the reigns of Elizabeth and Anne respectively!

Another point comes out clearly from a review of these intestine struggles. If there had been the slightest relic or revival of 'corrupt resignations' we may be absolutely sure that the lynx-eyed Warden would have brought it to light. But not only does he bear witness by his silence; he says in reply to Wake's official question, 'I know of no corruptions either in resignations or elections[2];' and Dr. Kinaston, a Fellow 'statutably absent,' makes the same answer[3]. The

[1] Mr. Stead to Archbishop Wake. Wake MSS., vol. i. Univ.
[2] Gardiner Papers *penes custodem.* [3] Archives.

work of Sancroft and Jeames had stood the test of forty years, and was now secure. Gardiner's jealous care that the abuse should not be revived under his Wardenship, and, indeed, many other instances of his public spirit, may be traced in letters of his now at Lambeth[1]. How much longer the said abuse lingered on in at least one other College may be gathered from the pages of Hearne; and even long after the death of that caustic observer,—as late as 1759,—Bishop Lowth speaks of it in a tone of utter despair:—

'The laws of the realm have since endeavoured to remedy all abuses of this kind, but in vain. . . . It behoves all such' [as are concerned] 'to exert their utmost diligence and resolution in putting an effectual stop to so scandalous a practice if they have any regard for the honour of their Society or for their own reputation[2].'

His eloquent exposure had, no doubt, some effect in producing the cure which followed!

We must not on any account omit the one last notice of stout old Warden Gardiner which we have before his death in 1726. In his last struggle he must have been surprised to find himself supported by somebody. He could hardly have known himself in the Archbishop's Court representing the whole College against the Visitor. It was in the case of an Appeal by a Mr. Wood who claimed to be elected as Founder's kin. The College would not accept the claim, but the Visitor supported Wood and forced him on the College; thus ruling the case in favour of an antiquated Statute, the abuse of which soon afterwards called for redress and resettlement. Wake was technically right, but, as Blackstone afterwards shewed[3], in reality wrong; and as he made use of the expression more than once that his wife was of Founder's kin, and placed his own son in the College on that account, he has been accused of partiality.

[1] Bibl. Lamb., cod. 931. [2] Life of Wykeham, 2nd Edition.
[3] Preface to Essay on Collateral Consanguinity.

Certainly he proceeded on opposite principles from those which had guided him in the recent Visitation.

The best counsel were retained on either side at the Visitor's Court in Lambeth Palace; but the College could hardly have been well advised to make so strong a point against the Visitor's jurisdiction where it was the Visitor who had himself to decide the case. Gardiner has left a full, able, and very racy account of the proceedings; and a pamphlet by a 'Senior Fellow of All Souls [1],' believed to be Dr. Brooke, tells much the same story. Both of these are *ex parte* statements, and through such a medium it is hard to see what grounds the Visitor had for his decision. But the chief trial for the poor gouty Warden was that he was kept so long waiting in an ante-room while the Visitor decided in favour of his own jurisdiction, and was condemned to hear the household of the Archbishop, when his decision was known, shouting along the passages, 'My Lord hath it, My Lord hath it;' or, as the pamphlet bitterly tells us:—

'No sooner was the import of this sapient Decree,—that the Visitor pronounces for his own jurisdiction,—communicated to a crowd of purple slaves attending in the Antechamber but mutual and cordial congratulations ensued, because, as they rightly observed, "*My Lord hath got his cause.*"'

And we may suspect a little sly satisfaction in the tone of the Warden's remark that,—'here his Grace had a fit of the gravel, and was obliged to leave the Court for a while.'

The above caustic pamphlet gives us a portion of the conversation which took place on this occasion between the two ancient champions; and as it puts the case on both sides with much force it may conclude the subject.

'"I am your Visitor, I am in the place of your Founder," —once I heard one of these local monarchs say,—"and if I should think it proper to send you an Injunction or new Statute directly repugnant to any of your Statutes now in

[1] Gough, Oxford, 60.

force, you would be obliged *sub pœna perjurii* to obey it." "My Lord," said the Head of this College, with a manly, becoming spirit, "that is a case we will not dread while your Lordship's justice is our security; but should we ever be so unfortunate as to receive from our Visitor such an Injunction as your Lordship is pleased to suppose, we should think ourselves obliged *sub pœna perjurii* peremptorily to disobey it, and by the grace of God, so we would."'

This Appeal cost the College £700,—a large sum considering the value of money in that age; and it excited the keenest displeasure in the minds of every member of the Society. One of its effects was a gain to another College, if it was a loss to All Souls. Dr. Clarke was so annoyed at the lawsuit, that in the disposition of his munificent bequest to Worcester College he put in a special clause against any Appeal from the election of a Fellow,—'to Visitors or any one else, to avoid the shameful and unnecessary expenses which I have seen some Visitors put some Colleges to upon such occasions, and prevent their arbitrary and partial proceedings.' The bequest itself was one of the effects. The previous Visitations, added to the odium of this last suit, decided him against leaving his fortune to All Souls. Instead of so doing, he left the bulk of it to assist Worcester in raising itself from the poor condition of an old Hall into that of a flourishing College, and in so doing, like his predecessor, Petre, so many years before, in the case of Exeter College, made himself a sort of second Founder. He added by his Will nine sets of rooms to that institution, founded six Fellowships and three Scholarships, and completed the new Library and Chapel. To his own College he left £1000 to restore the front of it; to Stone's Hospital in Oxford £1000 for six poor widows.

This may be the place to conclude Clarke's history. His influence was used for good all through his career, and when he came to live altogether at Oxford, more than ever. He was of course consulted on every matter concerning the

interest of the University in Parliament, and was the universal referee in all that concerned its architectural and literary improvement[1]. He generously assists impoverished Nonjurors like the famous Dr. Hickes, whose letters are full of gratitude and respect[2]. We find him adorning his old College, Brasenose, with the statues which still figure in its quadrangle, and (at an earlier period) assisting his friend Charlett in placing the statues of Queens Mary and Anne in the front of University College[3]. He takes in hand, after the Chapel is completed, the new works of his own College, the Hall, the Library, the new Quadrangle; and as he survived Gardiner by ten years, carried forward among fresh generations of Fellows the impulse which he had himself, along with the Warden and Codrington, been, from the beginning of the century, so instrumental in affording. Sarah, Duchess of Marlborough, and Sir Simon Harcourt were, we are told, amongst the assiduous friends of his old age; Radcliffe and Charlett had passed away with Aldrich and Gardiner, and many another of the friends of his long life. The 'cheerful countenance' which was attributed to him by his admirers may be traced in the picture which adorns the Hall he assisted to build; and his handsome monument in the Ante-chapel of the College bestows no more than due praise on one whose proudest boast was that he had been a Fellow of his College for fifty-six years, and five times Burgess for his University.

When he marked out the place of his burial and assigned in his Will an annual sum for the repair of his tomb, we may well imagine that his thoughts reverted to the imposing scene he had witnessed in that Chapel immediately after his election to a Fellowship. It was there that Archbishop Sancroft, by whose courage and public spirit he had himself benefited, consecrated Frampton, Bishop of Gloucester, afterwards the Nonjuror. It was on the occasion of the

[1] Ballard MSS., *passim*. [2] Ibid. 12. [3] Ibid. 20. 79.

Primate's residence at All Souls during Charles the Second's brief Oxford Parliament, in March, 1681. What a history had England made for itself in the interval which separated that event from the tenth year of George the Second! Who had been more mixed up with that history than he in his own not obscure sphere! He had left no children to carry down his name: would that name soon be a mere unmeaning thing?

It ought not to be so. These 'childless men,' these Sheldons and Codringtons and Clarkes, are among the greatest ornaments of the University. No inadequate representatives of the Wykehams and Chicheles of an earlier age, they passed on to our times in forms eloquent of their own contemporary influences, the traditions of industry, probity, far-sightedness, and munificence. We are reminded of their labours whenever we walk through the streets of Oxford. Nor, if we benefit so greatly by their abhorrence of matrimony, can we grudge them their jokes at the expense of their married friends. Clarke, the most agreeable and virtuous of men, never has a word to say in favour of marriage, especially when speaking of Oxford dignitaries.

'I don't know,' says he, 'how to be answerable for the follies of women, and 'twas one of the reasons of my continuing a Bachelor that I might not be obliged to do it... I have no great joy in hearing of your conjugal proceedings, for I think Colleges were not designed for women... If all my friends marry, I shall have little encouragement to come to Oxford.'

CHAPTER XXI.

All Souls and Judge Blackstone.

1726–1792.

Codrington Library — Selection of Worthies — History of Orthography from Archives — Hawksmoor on Modern Architecture — Young, the poet — Duke of Wharton — Judge Blackstone — His influence on All Souls — Struggles on question of Founder's Kin.

The completion of the College buildings will bring us into contact with the few remaining names of importance which we connect with the earlier reigns of the House of Brunswick. The vessel has now drifted out of the stormy waves of the Jacobite struggle into the tranquil waters of the Hanoverian age. The College has no longer a history, in any sense of that word which includes exciting or even interesting matter for the public. The days of corrupt elections and Royal interferences, of Archiepiscopal Visitations and faction-fights, have passed away. A notice of one or two comparatively amicable controversies will alone break the even flow of the century and a half which have elapsed since the days of Warden Gardiner. If a sense of weariness steals over us in the contemplation of such a change to dulness and monotony, we cannot but experience a certain feeling of shame in treating with so much ingratitude the blessings of internal peace, order and prosperity, which are in a College history the mere reflection of the happy state of the nation. But however this

may strike us, it is clearly desirable in such a sketch as the present to pass lightly over modern times.

And first a few words must be bestowed on the Codrington Library, since, from its commencement in 1716, when Edward Young delivered an oration on the occasion of laying the first stone, to its completion in 1756, under the fostering care of Blackstone, it is the chief subject of interest in the College, and that by which the importance of the institution has been chiefly sustained to our own day.

The old library had been superior to those of most other Colleges, but excelled by some; Codrington's benefaction placed All Souls in the next rank after the Bodleian. In 1724 Hearne visited the ancient rooms before their treasures were transferred to the new building. He thought it 'a very pretty place and venerable for its antiquity, being as old as the College[1].' With his accustomed care he noted down all the ancient glass in the windows,—the figures from which were afterwards placed (in questionable style) in the windows of the Ante-Chapel and Ante-Library,—remarking that Archbishop Stratford's name is probably a mistake for Stafford's, and Edward the Martyr's (as he could not have had a long beard) for Edward the Confessor's. He was much struck with the richness of the College in MSS. Such a scholar could well appreciate the gifts of Chichele and Henry the Sixth, of Goldwell, Pole, and the numerous learned men who had adorned the College in old times.

But Codrington's lavish expenditure on books from all parts of Europe made his legacy a splendid accretion round this nucleus; and with such men as Tanner to give advice, and Clarke and Sir Nathaniel Lloyd bringing to bear on its progress the wealth of their great literary acquaintance, the Library soon acquired celebrity. It was they who undertook the responsibility of superintending the erection of the fabric. There was a stoppage for some years before its actual

[1] Diary, 103. 135–158.

completion, owing partly to the death of these men. The Library was waiting for the advent of a man of genius and energy, worthy to complete the work of such a benefactor. Blackstone was precisely the person. His enormous capacity for work, his accurate judgment, his great learning, and his devotion to his College, pointed him out as preeminently fit for the business, and he devoted many years of assiduous labour to it. To him the Library owes the excellent arrangements which distinguish it to the present day. By judicious management Codrington's £10,000 was increased to £12,000, and an endowment formed for the future increase and care of the books out of the surplus left when the building was completed. Many valuable additions have accrued by benefactions since that date, besides the accumulating treasures procured by the handsome endowment; and—to make a leap of 150 years—a very successful movement has lately been made to extend the advantages of the Library to the whole University by building a large Reading-room and Law Library in connection with it, with a Sub-Librarian in constant attendance. Thus the literary treasures provided by the benefactors of All Souls are no longer confined to members of the College and the few scholars who might occasionally obtain formal permission to inspect some precious document.

It may be interesting to those who have followed the course of this history to observe who of all the Worthies of All Souls were thought most deserving of commemoration when the Codrington Library was approaching completion. The selection must have been chiefly due to Blackstone, and was evidently made with the greatest care; yet there are some curious omissions. The chief sculptor of the day, Sir Henry Cheere, had already been engaged to supply the statue of Codrington, which stands in the centre of the building, and the College placed a graceful crown upon the whole work by employing him on the busts of twenty-four of the former

Fellows. All but one of these, Lord Talbot, have found their places already in the preceding pages of this work. The list may be given here in the original order and spelling, as it appears in the College books, defiant of chronological sequence:—

Sir Daniel Dunn.	Archbishop Sheldon.
Sir William Byrde.	Bishop Duppa.
Sir William Petre.	Bishop Pole.
Dr. George Clarke.	Bishop Jeremy Taylor.
Secretary Coventry.	Mr. Norris.
Sir William Trumbull.	Dr. Lynaker.
Lord Chancellor Weston.	Dr. Sydenham.
Lord Chancellor Talbot.	Dr. Godolphin.
Dr. Steward.	Sir Nathaniel Lloyd.
Sir Christopher Wren.	Sir Clement Edmonds.
Bishop Tanner.	Warden Hoveden.
Bishop Goldwell.	Sir John Mason.

There is some reason to think that, however well selected, the list was a good deal influenced by the feasibility of obtaining likenesses for the sculptor's guidance, since we find that Dr. Godolphin's place was afterwards taken by Sir Anthony Sherley, no picture of the first being discoverable. This will perhaps account for the omission of some Wardens who certainly deserved to be commemorated, as well as of William Latymer, Arthur Duck, Sir Richard Napier (Doctor of Medicine, admitted 1628), Sir Charles Cæsar (Master of the Rolls, admitted 1606), Bishop Hanmer, Sir Richard Lloyd (Advocate-General and Judge of the Admiralty Court, admitted 1655), and the Hon. Dodington Greville. Lord Northington was still alive, as also was Young. Blackstone himself, whom the College 'empowered to order these bustoes,' finds his place in the Library in a still more worthy manner, though only within the last few years. His noble statue by Bacon was at first placed by his admiring contemporaries in the Hall where he delivered his immortal 'Commentaries,' but after-

wards, as it took up too much space, it was moved to the Ante-chapel, where however it was still more out of place. It has at last become one of the chief ornaments of the building in which he took almost a paternal interest. The delay may be fancifully accepted as a sort of 'poetical justice' upon him for having hoisted up the 'bustoes' of former Worthies to such a height that no one can distinguish their features, or scarcely even read their gilt-letter names. It may be worth notice that the said 'bustoes' cost £200, the statue of Codrington about £150, and Blackstone's own (without the pedestal) 450 guineas.

This may be the place to make a remark upon the documents which have formed our chief guide in estimating the title of these and other Worthies of All Souls to our respect or admiration. The study of the Archives of a medieval institution affords some interesting experience both as to the history of English orthography and the connection which so often, though not universally, obtains between hand-writing and personal character. This is much too common a subject to justify more than a sentence or two; but it may be observed that in the All Souls documents a special study of the letter-forms used is necessary before the writing of the Plantagenet and Tudor times can be read with anything like ease, and that the difficulty continues throughout the reign of James the First, though an occasional 'hand' is intelligible enough to ordinary readers. This is the case, as early as 1606, with, for example, Arthur Duck. He was a scholar and an able man, and had caught the first glimpses of orthographical improvement. By 1640 hand-writing in general is easy to read without any special study; and by 1680 it is like our own of the present day; though, even as late as 1700, lawyers and others sometimes use archaic letter-forms which are provoking enough. The seventeenth century in short just spans the change from old to modern English; and this is much the same as to

spelling. Very little change has taken place in this latter respect since the reign of Queen Anne.

As to deeds and strictly legal documents, it is observable that those of the Tudor reigns are far harder to decypher than those of a much earlier date,—indeed they are clearer still in earlier centuries than the fifteenth. The legal fashions in this respect had come by degrees to be an insupportable burden. Fortunately the general growth of an improved orthography which took place in the seventeenth century produced some slight effect upon the lawyers at last.

There is no doubt that we must attribute the improvement of the English language mainly to the great men who translated the Bible under James the First's patronage, to Shakspeare, and to Bacon. These and their minor contemporaries made the English language what it is; the swarm of pamphlets and newspapers which the conflicts of Charles the First's reign brought into existence,—an effect like that of early summer heat and damp on insect-life,—fixed it for ever. The Continental influences of the Stuart period were thrown in just before the last effervescence subsided. The men of Queen Anne's age write as we write now,—only much better, with far more elegance, force, and propriety.

In point of handwriting the Primates bear away the palm. They nearly all write good 'hands.' Sancroft's is remarkable for its formal and cramped, but very clear, style; it can hardly be called, as the Steward of his Courts, Roger North, designates it, 'exquisite orthography[1].' Many of these are known by fac-similes. Warden Hoveden, Warden Jeames, and Codrington write good readable hands; but those of Finch, Gardiner, Clarke, Tanner, Young, and Blackstone are excellent. These were all men of high cultivation, to say the least, and nearly all of them men of accurate habits and superior character.

[1] Gutch's Coll. Cur., Preface.

The progressive architectural improvement of the College now began to excite emulation among the Fellows, past and present, and their friends. The Library, succeeding the Warden's Lodgings and the 'restoration' of the Chapel, was laid out on a plan which involved the future junction of the buildings by the sides of an immense quadrangle, four times the size of the original one built by Chichele. The new Hall was to take its place in continuation of the line of the Chapel, and Gardiner provided for it and the sides of the new quadrangle as he best could. Some of the answers to his numerous letters are preserved[1], and are not a little diverting. There are many refusals; some of his correspondents have 'teeming wives,' others 'ruined fortunes;' but the response, on the whole, is noble. Upwards of £5000—some £20,000 or £30,000 of our currency—was spent upon the sides of the quadrangle. Sir Nathaniel Lloyd, a very useful member of the College, who afterwards became Master of Trinity Hall, Cambridge, and Vice-Chancellor of that University, gave £1350 for one portion, the Duke of Wharton £1183 for another; the Hon. General Stuart built one of the towers for £786; Mr. Dodington Greville gave £750 for the gateway in the cloisters; Lord Carnarvon gave £200, Bishop Tanner £50, the Warden and Fellows £400. Hawksmoor is responsible for the general plan of the whole of the new buildings, but Dr. Clarke perhaps almost as much. Hawksmoor submits his plans to him; he marks on the margin what part of them he hopes the College will adopt; and his suggestions are for the most part followed. Thus, for example, Hawksmoor designed a turret over the centre of the Library, and a corresponding one between the Chapel and the Hall; but Clarke 'hopes the College will not build this oblong turret, which will be expensive, and I fear, look very heavy[2];' and some other parts of Hawks-

[1] Gardiner Papers, *penes custodem.*

[2] Explanation of the Designes for All Souls: Archives.

moor's plans are, like these, omitted. There is nothing said in Hawksmoor's 'Designes' about the conspicuous central towers of the east side of the quadrangle, which have been so criticised, and for which the architect is probably directly responsible; but as every one admits the good general effect of this noble square, it is possible that moderns have sometimes shown themselves hypercritical. At any rate, the following extracts from the above paper may not only prove that the College was much indebted to Hawksmoor, but be useful to the public even now. If his hints had reached some of our architects a few years ago we might not now be mourning the loss of many an ancient monument designed in better taste than our own.

It appears there had been some proposals—let us hope not from Dr. Clarke—for a modern renovation of the old quadrangle. Hawksmoor—Wren's favourite pupil, be it observed—can hardly contain his indignation; though, indeed, it must have required some courage to speak so plainly to his employers.

'I must ask leave,' says he, in a letter dated February 17, 171$\frac{4}{5}$, 'to say something in favour of y^{e} old Quadrangle, built by your most Rev^{d}. Founder, for although it may have some faults yet it is not without its virtues. This building is strong and durable, much more firm than any of your new buildings because they have not y^{e} substance nor workmanship, and I am confident that much convenience and beauty may be added to it, whereas utterly destroying or barbarously altering or mangling it would be useing y^{e} Founder cruelly and a loss to y^{e} present possessours. Whatever is good in its kind ought to be preserv'd in respect to antiquity as well as our present advantage, for destruction can be profitable to none but such as live by it.

'Never suffer y^{e} outward moldings on y^{e} Jaumbs of y^{e} windows and Suffite to be cut away, for that takes off all y^{e} ornament and strength of y^{e} Designe. You may see the scandalous effect that Chap Windows have by putting them flush (as workmen call it) to the outside of the wall, in y^{e} Quadrangle of New College and most other places in Oxford, and at Trinity College, in Cambridge, most shamefully. What

I am offering at in this article is for the preservation of antient durable Public Buildings, that are strong and usefull, instead of erecting new fantasticall perishable trash, or altering and wounding y^e^ old by unskilfull knavish workmen; and this leads me to say something further by way of encouragement towards generall Designes and proper forcast in this affair architectonicall that may regard both old and new erections.

'When London was burnt in 1666, out of that fatall accidentall mischief one might have expected some good when y^e^ Phenix was to rise again, viz^t^. a convenient, regular, well-built City, excellent, skillful, honest artificers, made by y^e^ greatness and quantity of y^e^ worke in rebuilding such a Capital. But instead of these we have noe City, nor streets, nor houses, but a Chaos of dirty, rotten sheds, always tumbling or takeing fire, with winding crooked passages, scarce practicable, lakes of mud and rills of stinking mire running through them.

'The workmen soe far from skill or honesty that y^e^ generall part of 'em are more brutall and stupid than in y^e^ remotest part of Britain, and the longer they worke the worse they grow, as you may see in all the additionall scoundrell streets they are continually cobling up, to sell by wholesale, and this is not all in London, for this sort of vermin has run and spread all over y^e^ country, and as they have ruin'd y^e^ Capitall soe have they all the other Citys and Townes in England more or less, together with working y^e^ destruction of many a good old Mansion house and durable castle, &c. Soe that it is a question which was y^e^ worst calamity, y^e^ burning, or rebuilding by these villains, for y^e^ first was quick and soon over, the later slow but perpetual.'

He then lays the blame upon the Government, who ought 'for y^e^ Publick good to have guided the rebuilding into a regular and commodious form, and not to have suffered it to run into an ugly, inconvenient, self-destroying, unwieldy monster,' and hopes the University may take warning:—

'It cannot be improper to lay downe such Draughts and Designes for repairing the old and erecting new fabricks for y^e^ embellishment and use of y^e^ University as may in time come to perfection, altho' not soe quickly as we might wish; for when we survey what we have done beyond expectation, and if we consider our noble Benefactions given, and y^e^

genius that now seems to govern, we need not despair of accomplishing anything that may render this Seat of y^e^ Muses admired at home and renowned abroad: but running on without any rule and well-digested Designes will produce nothing but chaos and tumult.'

The question may have already occurred to some reader, —Why should the famous libertine, the Duke of Wharton, have given a large contribution to the buildings of All Souls? He had nothing to do with the College, was not the man to spend money in such a work, and was hopelessly in debt. The answer is supposed to be found in the following passage from Dr. Johnson's Lives of the Poets:—

'His Grace the Duke of Wharton's regard for Young, added to his lust of praise, procured to All Souls College a donation which is not forgotten in the Dedication of "The Revenge."'

This Dedication was so quickly and thoroughly suppressed by Young that, except for the passage in Johnson's popular book, it would have been forgotten. The words referred to are these:—

'But there are still superior qualities which I am obliged to remember, as is the Society to which I belong, and to return him our thanks for his late donation to it, which is so noble that it had laid us under the greatest obligation though it had been from another, though it had been from one whose quality and character would have made a far less addition to it, and who had not by the most grateful and engaging manner of conferring it, more than doubled its value.'

Further on he says,—'My present fortune is his bounty;' so that this brilliant, versatile, and profligate nobleman did for the world at least something which outlived his own reputation. Young has been blamed for stooping to be patronised by such a man, but the extraordinary character of this most curious of all human compounds must be remembered. He deceived friends and foes alike; and led every one to expect that his character would develop in the direction they desired. Bishop Tanner writes:—

'The Lord Duke of Wharton's benefaction to ours, or indeed any other, was not expected. It gives promising hopes of a new turn in which that young nobleman of excellent parts—as I have heard—may outshine his ancestors [1].'

It is needless to enquire how long this 'new turn' lasted, since no brilliant youth ever made more turns, or more terribly disappointed his friends:—

'Wharton, the scorn and wonder of our days [2].'

As for patronage, the system was almost universal in those days; and the families of the Duke and the poet had been friends. There is nothing dishonourable in Young's short period of clientship; indeed he probably did some good to his young patron while it lasted; but no one who knows Wharton's career can wonder at the rising poet's anxiety to suppress the evidence of his too great facility in crediting the Duke with so much virtue.

It seems probable, however, that Young's remarks in the Dedication on the gift to All Souls have been made to bear more weight than they can carry. The date is 1721. There is nothing in the words to shew that the gift was made through Young. Perhaps the following letter, dated August 4, 1720, from Hawarden, of which place Warden Gardiner was Rector, may throw some light on the subject. It will be observed that it is earlier in date than Young's Dedication. It is addressed to Dr. Charlett:—

'Good Sir,

'Being in your debt at Harden I hope to satisfy you for all at once by telling you that the Duke of Wharton did me the honour to call upon me there on Saturday was sennight; and in his discourse about our Benefactions his Grace was pleased to promise to All Souls £600 or if necessary £800 towards a pile to join Codrington's Library and Stewart's Tower. By his order I sent off Mr. Townsend to his Grace on Monday, and yesterday he returned with a contract under his hand and seal to pay £1183 for finishing the pile by Midsummer next.

[1] Letters from the Bodleian.

[2] Pope's Knowledge and Character of Man.

This great bounty was given with all the civility and readiness imaginable, and with the kindest expressions of his regard to the University, of whom his Grace intends shortly to receive a Doctor's Degree [1].'

There would, one would suppose, have been some mention of Young in connection with the gift, in either Gardiner's or Tanner's letter, if the Duke had really given it at Young's request or out of special regard for him. However, it is quite possible that it was through Young that he was induced to think of the benefaction; and the desire to obtain a Doctor's degree and to stand well with the University may have been to him, at the moment of his visit to Gardiner, a matter of importance. His affairs soon fell into extreme disorder, and whether he ever intended to pay the money or not is a matter of little consequence. It was not paid during his lifetime; and the tradition has consequently obtained in the College that it was never paid. But this is a mistake. Thanks to Gardiner's wise precautions and Blackstone's perseverance, the sum was recovered from the Duke's Executors; so that his name stands with perfect justice inscribed on his 'Pile.' It might have been well if more of his estate had been secured for equally good objects!

The College has a right to be proud of Edward Young, whose name appears in its records accompanied with the words *Poeta celeberrimus*. He lived much at All Souls, and was in a great degree its true and legitimate product. We have seen that he was selected to make the Latin oration when the foundation of the Codrington Library was laid. He had not then been long a Fellow. Towards the close of his long life he presented the last edition of his works to that Library, containing, as the Preface says, his 'most excusable' poems. Between the two periods he had passed many an hour in the performance of a task not so showy as writing poetry, but perhaps as useful. All Souls was the arena for constant argument on the great and vital

[1] Ballard MSS. 20. 17.

questions of human belief. The disreputable Matthew Tindal, the chief champion of the Deists, or, as his opponents violently called them, Atheists, after having gone through various changes, had settled down into the opinions expressed in his 'Christianity as Old as the Creation,' and volume after volume came forth from All Souls in rapid succession. Young was the champion of Christianity.

'The other boys,' said the Atheist, 'I can always answer, because I always know whence they have their arguments, which I have read a hundred times; but that fellow, Young, is continually pestering me with something of his own[1].'

It were to be wished we had these 'somethings of his own' before us; but we have only his poems, which were no doubt his way of answering his opponents; while he left to Butler the task of scattering them in prose. It would be out of place to say anything here of these poems. They have long ceased to form a portion of the stock of poetry commonly read in our day. Yet Young was to his generation what Tennyson is to ours,—always sending out some new poem or new edition, which it was absolutely necessary that every one should have read if he were to keep his place in society. Succeeding the poets of the age of Anne, and preceding the burst of modern poetry which Cowper heralded, he filled the vacuum as no one else did; and Dr. Johnson's testimony to his genius must take the place of authority with those who have never studied the 'Night Thoughts.' Some of the portraits which find a place in those immortal lines are no doubt pictures from All Souls.

The traditions of Young's connection with his College have not, however, been kept up by his relations with Wharton and Tindal, still less by his picture in the Hall, which is anything but flattering,—(it was said he would never sit for one; this, however, was presented by a relative after his death,)—but by the ever-green memory which he left behind him at

[1] Johnson's Lives of the Poets.

Welwyn, the All Souls living where he passed the evening of his days. Successive Rectors from the College still rejoice in the beautiful shades he planted, and read on the monument erected under his avenue the words in which one of his early successors embodied his character while it was yet known to living men:—*Vitia insectabatur non homines, errantes emendabat non castigabat.* It was here that Dr. Johnson paid his tribute to the memory of his old friend, and Boswell took down from the lips of his master the words which told how one of these great men appreciated the other[1].

Judge Blackstone's name has come across our path already. Of all the Worthies of All Souls whose fame connects the history of England with that of his College, there is no one, except perhaps Sheldon, who more identified himself with its interests. For a great part of eighteen years—during all his middle life—he made All Souls the object of his laborious care. For ten years he was Steward of the College, applying his legal mind to the examination of all the documents bearing on the College property, rearranging its Archives, and leaving at the close of that period a characteristic record of the labour he had bestowed on its accounts in a special MS. book for the benefit of his successors. In this he tells us he had been, thanks to his 'good fortune,' 'Accomptant, Assistant, and Auditor' of these accounts; and he had served his turn as Bursar. No name appears in the College order-book more frequently than his as writing out, in the capacity of Senior Jurist, the Resolutions of the College Meetings. He was the 'willing horse' whom the College worked hard, but most gratefully thanked. A sentence or two of the little College book above mentioned may be quoted as characteristic of the man. It is written out by himself in 1753, and addressed to his friend and successor in office, Dr. Benjamin Buckler. It commences thus:—

[1] Boswell's Life of Johnson, sub anno 1781. See also other passages in the 'Life,' and the 'Lives of the Poets.'

'I cannot but think that you will enjoy some pleasure in contemplating a structure the rudiments and foundation of which are at least of as high antiquity as the invention of the Mallard itself. You may here frame a complete idea of that old English system of hospitable œconomy for which our ancestors were so justly famous.'

And it ends with the following:—

'And thus, good Mr. Bursar, having accompanied you from your entrance on this important office to your final dismission, through all the intricacies of our domestic œconomy,—a sort of maze, I confess, yet not without a plan,—I must refer to your own sagacity to supply the deficiencies of my experience, and shall now take my leave of you till I am in my turn a petitioner for your kind assistance, when you may depend upon my paying you my respects in person. And meanwhile, my hearty wishes, and I dare answer, those of the whole Society, are that your year may be rich and peaceable, attended with a moderate Expense Roll, with good, though not extravagant Price-days, large fines and cheerfully paid, pleasant Progresses and many alienations, a comfortable share of underwood, and abundance of timber that will not improve by standing. And for your own particular I wish you large Rags and small Tres Billæ, many leases and few letters, a prodigious increase of bread and a mighty consumption of ale,—and, to crown all, a clear exoneration without fear of drawbacks, and a sociable evening to celebrate the End of All Things.'

The enthusiasm which could thus extract the notion of enjoyment out of the driest and most complicated mass of details conceivable, is as pleasant as the humour with which the great Judge concludes his homily, and well illustrates what we gather from many Collegiate sources, that he was an excellent companion. This is the more worth noticing since he was thought by some to be ill-natured. No one was in reality less open to the charge, which gathered perhaps some plausibility from the appearance of his contracted eyebrows; but that appearance was the result of extreme near-sightedness. It is true that he became in his old

age somewhat irritable; but we are told that the only occasions when this was allowed to be perceptible were when people tried his patience beyond bearing by unpunctuality. No portion of his time was ever wasted, and he resented the carelessness of those who did not understand the value of minutes.

Besides the services he performed with respect to the Codrington Library, and the recovery of the Duke of Wharton's gift, the College, and indeed all English institutions which gave preference to Founder's Kin, received the greatest benefit from Blackstone's legal ability. His famous Treatise on Consanguinity, prompted by College experiences, was the means of procuring, what had long become necessary, an authoritative settlement of the number of Fellows to whom the College should be obliged to give the coveted preference. Finally, as we have said, the College has reason to remember with pride and pleasure the famous Lectures which he honoured the College by giving in its new Hall as first Vinerian Professor, and which, under the form and title of 'Blackstone's Commentaries,' have been designated as 'perhaps the most correct and beautiful outline that ever was exhibited of any human science[1].' Lord Campbell pronounces that 'Bracton had been rivalled by no English juridical writer till Blackstone arose, five centuries afterwards[2];' and that 'after Bacon, Blackstone was the first practising lawyer at the English bar who in writing paid the slightest attention to the selection or collocation of words[3].'

It would not have been needful even a few years ago to fortify any eulogy of this great man by the quotation of authorities; but reputations die quickly in our day. Perhaps it has not generally attracted observation that King

[1] Life by Archbold in his edition of the Commentaries, 1811.

[2] Lives of the Chief Justices, i. 62.

[3] Ibid. ii. 566.

George the Third must in all probability have owed an important part of his education to Blackstone[1]. Many problems in relation to the personal part taken by that Sovereign in the first half of his reign are still unsolved, and none but the prejudiced will think them unworthy of attention. The influences which are chiefly supposed to have been exerted on his eager and enthusiastic temperament as a youth are for the most part attributed to Bolingbroke; but one may well believe that much was also due to the wise and moderate writer who has framed the picture of our Constitutional Law as only a genius, here and there in successive ages, can. Blackstone indeed declined to read his Lectures to the young Prince of Wales on the ground that he could not leave his pupils; but he sent copies of them to the Prince, and, famous as they immediately became, they could not but bear fruit in the mind of one who possessed a far larger fund of common sense than he obtains credit for in modern days. Is it not true that he is still viewed almost exclusively through party spectacles, and chiefly in relation to times when his intellect had given way as much perhaps from over-work and responsibility as from any other cause? We listen to literary caricatures and jokes bred from the struggles of recent times; we forget what Great Britain owed, at a critical period, to one who reigned in the hearts of his people.

It may not be amiss here also to follow in the briefest form Lord Campbell's explanation of the connection between Blackstone's prolonged Oxford life and his career in the great world[2]. That residence at Oxford was the happy

[1] Blackstone retired to Oxford in 1753, and soon commenced his lectures, which were largely attended from the first. The first volume of the Commentaries was published in 1755; the remainder in 1756–1759. In 1758 they were 'read in the form they now bear.' (Life by Archbold.)

[2] Lives of the Chief Justices, ii. 378.

result of his early failure at the Bar. We read of no difficulties made by his College as to non-residence while he was determining his future life in London practice; but it seems that his practice was not promising. His language and delivery were faulty; but his merits as a scientific lawyer did not escape the acute observation of that prince of lawyers, Murray, afterwards Lord Mansfield. Though Blackstone was as yet quite unknown to the world, Murray determined to bring him forward, and persuaded the Duke of Newcastle to put him into the then vacant office of Regius Professor of Civil Law at Oxford. The Duke, however, when he found that the upright young lawyer would make no political engagements, characteristically forgot to fulfil his promise. On this Murray advised Blackstone to settle in Oxford, and read law-lectures on his own account. This was the foundation of his splendid success. This success led Mr. Viner to establish the Professorship of Common Law for the express purpose of providing a Chair for Blackstone. On such trivial circumstances depended a great issue! Whatever this great man might have done had he been an ordinary Professor of Civil Law, the feeble Duke's unblushing partisanship gave the world Blackstone's Commentaries, and Oxford a new Professorship!

We ought not to part with Sir William Blackstone without observing that during his Oxford career he by no means confined his energies within the limits of his College. He was the 'reformer of the Clarendon Press.' As a Visitor of the Michel Foundation at Queen's College he organised that important portion of the institution; and the street front of the College, which had long lain in a neglected state, was mainly by his means brought to its present condition[1]. He was also Assessor of the Vice-Chancellor's Court, and before

[1] Life of Blackstone by Clitherow; prefixed to Blackstone's Reports.

he finally left Oxford for the Judicial Bench, became Principal of New Inn Hall. How excellently he fulfilled his duties as a Judge, how the world discovered him to be as wise and religious a man in office as he had been in private life, may be gathered from various quarters. We have only space here to characterise the culture of his mind in the words of his biographer, who tells us, without exaggeration, that 'there was hardly any branch of literature with which he was not acquainted,' and to quote the opinion of a great Judge, Lord Ellenborough, who was not one of his warmest admirers, but who admits that Blackstone made the law of England to be studied in other countries, and thus threw a dignity round the wisdom of his own[1].

We can hardly refuse to connect this excellence with Codrington's gift to All Souls. What distinguished this great man from all his predecessors at the famous English bar? His philosophical treatment of legal subjects, his splendid style, the breadth and cultivation of the powers he brought to bear on his work. Who ever had a finer opportunity for obtaining these qualities — as far as study can assist great natural capacity — than Blackstone possessed in the course of his preparation of the Codrington Library for future use?

Two other All Souls lawyers of the same period attained higher distinction in their profession, but occupy a place very far below that of Blackstone, Lord Chancellor Talbot and Lord Chancellor Northington. The first, however, if he had lived longer, might have attained the highest fame. Lord Campbell calls him 'a consummate judge[2],' and Lord Stanhope speaks of him as 'a man of the highest legal talents, of unimpeachable character, and of most winning gentleness of manners[3].' He was Bishop Butler's fast friend and power-

[1] Townsend's Lives of Twelve Eminent Judges, i. 383.

[2] Lives of the Chancellors, p. 659.

[3] Hist. of England, ii. 257.

ful patron. The last only requires a word in this place in connection with Lord Campbell's sweeping condemnation of All Souls. The lively imagination of the noble biographer has attributed young Henley's election at All Souls 'solely to his convivial talents.' This can hardly be so. Two years after Gardiner's death there was no doubt a strong convivial element still left in the College, but we have seen already that merit tested by examination was by no means dispensed with. Elections in later times came to be less carefully made; but scarcely yet. The Warden's Veto was still a reality on this point, in spite of the changes made by Tenison and Wake. Whether, as we are further told, his lordship owed his 'habitual addiction to conviviality' in later life to the encouragement he received at his College, may or may not be true. It can be little more than a guess.

Richard Trevor, who became Bishop of Winchester, entered the College along with Henley; and later on the Register appears the name of Spencer, who followed Duck in writing a history of Chichele, but in English. The connection of the College with its Founder was still further illustrated by Dr. Benjamin Buckler, whose name has already come before us, in the 'Stemmata Chichleiana,' which has long been known as an important genealogical work. This was continued (in MS.) in the present century by the Rev. C. Annesley.

The mention of Buckler's genealogical labours brings us to the vexed and tedious question of Founder's Kin, the struggles on which at All Souls may be grouped together in one short notice in this place. The great Anstiss lawsuit leads the way. Mr. Anstiss was Garter Principal King of Arms. His son, though of Founder's Kin, failed of election to All Souls in 1728. This, it will be remembered, was five years after Archbishop Wake had decided against the College in favour of Wood, on the ground that the Statutes which gave preference to Founder's Kin must be

literally obeyed. But the College had long ceased to consider the Statute obligatory. The theory that the privileges of Founder's Kin did not extend beyond ten degrees—and a majority of the College once even considered that they ceased at five degrees—had been very commonly held. During the period of corrupt elections and Royal Mandates it is obvious that such claims would not be likely to receive much attention;—Warden Jeames on one occasion thought it his duty to veto an election by the Fellows which excluded a candidate who claimed on this ground. When the reform of Sancroft took effect the College would therefore have had to retrace its steps if it elected Founder's Kin whenever they presented themselves, and this it was naturally most unwilling to do.

Hence, partly, the exasperation with Archbishop Wake when he insisted on Wood's election; and the College now alleged a special reason for refusing Anstiss which the father would by no means tolerate. It was that the son was already in possession of a patent place and pension under Government, which incapacitated him by Statute. By means of the Warden's Veto the election devolved on the Visitor, to whom Mr. Anstiss appealed, and from whom he claimed the nomination of his son. In order to meet the argument of incapacity,—having failed to prove that the pension in question was not of the sort contemplated in the Statutes,—he took ground which had not been heard of since the days of York and Lancaster. He maintained that there had been all along a mistake as to the real Founder of the College. It was not Archbishop Chichele, but Henry the Sixth, as the grantor of the Alien Priories, and as having been formally invested with the College property by the Archbishop. A place under the Crown would not invalidate a candidate for a Royal Fellowship. The Visitor easily disposed of this flimsy argument; but the College was so thoroughly offended that, when another son stood for a Fellowship in 1732, he also was

rejected. Anstiss, now furious, charged the Visitor and the College with direct perjury, and printed so many elaborate books and papers on the subject as to suggest the idea of a vast amount of leisure in his official situation. He was an intimate friend of Hearne's, and found sympathy in the breast of that hater of All Souls. 'Oaths,' says Hearne, speaking of this case, and not forgetting the Revolution, 'are become too feeble to bind, and the notion of Judgment is a scarecrow[1].' It certainly does not appear why, if Wood was to be forced on the College because he was of Founder's Kin, the younger Anstiss should not have been forced likewise.

No immediate effect was produced by this explosion; but public attention was called to the matter, and it led to the scientific consideration of the question at large. For the present the College, being left to itself, pursued its usual plan of only occasionally electing one who claimed as Founder's Kin. For the first half of the eighteenth century there are but twelve such elected out of 130 Fellows, and two of these are of the Bathurst family, which appears more frequently on the roll than any other in the history of the College. No doubt the principle had practically been long established that 'the Founder could never have intended to fill the College with one blood to the exclusion of all other learned and deserving candidates;' and as yet candidates came freely in for election. In 1724 there were sixteen candidates for five vacancies, which were all filled up by the unanimous vote of the Fellows, and in 1725 there were, as always, a great many candidates[2].

The experience of other Colleges was brought to bear upon All Souls. New College had been harassed by the same difficulties. The decision long before arrived at by

[1] Diary, 135. 116; cf. 55. 24.

[2] Hearne's Diary, 105. 29; 110. 34.

the Visitor of that institution justified All Souls in its conduct. In that case it had been decided that out of the whole number of seventy Fellows the number of eighteen Founder's Kin should be the limit. Blackstone's conclusive Treatise, shewing how the blood became worn out after a certain number of generations, was soon established as a standard authority on the side of restriction; while at the same time the rush made by Founder's Kin for All Souls Fellowships from and after the year 1762 rendered the Visitor's interference necessary. A great change came over the College. For many years after that date the elections are made wholly, or all but wholly, out of candidates who claim on this ground. Out of the fifty-eight Fellows elected in twenty years, thirty-nine are of Founder's Kin. But Archbishop Cornwallis now rules (in 1777), under Blackstone's advice, that the number of ten Fellows of Founder's Kin should be the limit, which the College might indeed, if it pleased, exceed, but more than which it was not obliged to elect. The proof of kinship was also no longer to be necessarily strictly legal, but such as to satisfy the electors in their consciences,—a proviso which seems to have chiefly grown out of a sense of the injustice done to two grandsons of Warden Gardiner, named Whalley, whose case was admitted to be clear after they had lost their election.

This authoritative interpretation of the Statutes checked the almost exclusive election of these candidates in a very marked manner for a time; but early in the present century the preference came again to be shown almost as decidedly as in the twenty years which resulted in Cornwallis' decision. It had now become the fixed desire of the College itself to elect Founder's Kin, and the practice fell in with some of its old traditions. The fact is that since the number of families which could claim from the Founder kept on multiplying in geometrical progression, there came to be by this time a considerable choice among candidates from these families

alone, a large proportion of which had been placed in the ranks of the peerage in the eighteenth century.

Lastly, there was a very vigorous attempt made to set aside Cornwallis' decision, in 1792, by Mr. John Whalley Master, of Brasenose. The two Scotts, afterwards Lords Eldon and Stowell, and other eminent counsel, were retained on either side; but the Visitor confirmed his predecessor's judgment, and we hear no more of the subject. That, perhaps, will not be matter of regret on the part of the reader of these pages.

CHAPTER XXII.

Conclusion.

1792–1874.

Ancient and modern All Souls — The University Commission of 1852 — The Eighteenth Century a period of Stagnation — The modern Wardens — Distinguished Men of Modern Times — Bishops Heber and Stuart — All Souls Burgesses for the University.

It may be some excuse for the presumption involved in undertaking to sketch the history of All Souls that, without some such narrative as the above, it is not easy to give an intelligible answer to the question so often asked,— Why does the College present such an entire contrast to every other Collegiate institution, not only in Oxford or Cambridge, but in the world? Even the members of the College are often fain to be content with the reply,—'It has always been so.' And yet the early history of the Foundation is well enough known to suggest some doubts on the subject. But then, again, the mere fact of transition from medieval manners and ecclesiastical functions so as to become an institution suited to modern wants, affords no explanation, since scores of similar institutions have done the same, and yet are wholly different from All Souls.

The course of our narrative has shewn that the germ of this peculiar and distinct modern character is to be found

in the provision made by the Founder,—an experienced statesman,—for the service of the State by a portion of his Fellows. His body of 'Jurists' were intended to be a nursery of apt officers for purposes both of Church and State. Even the 'Artists,' the larger portion of the Fellows, were intended not only to study at Oxford or replenish the ranks of the parochial clergy, but also to be professional men such as physicians. At least so it was ruled in very early times. Thus while All Souls, before the Reformation, was more remarkable than others for its connection with the functions of a quasi-chantry, it was also peculiarly devoted to pursuits which soon grew to be exclusively secular. After the Reformation we have observed a strong development of the educational element, extending, beyond the limits of the body of Fellows, to poor scholars within, and to grammar scholars without the College. All other Colleges except New College and All Souls felt this educational movement so strongly that they became at once, some more, some less, what they are now; but from various circumstances it took no abiding hold of All Souls. Even the earnest religious revival of the early Stuart period failed to effect more than to strike a fairly even balance between the secular and strictly clerical portions of the College Society. During the period of the later Stuarts the secular element prevails. The Public Service and the Bar draw off so large and influential a portion of the Fellows, and Non-residence becomes so common under the system of Dispensations, that it becomes necessary to refer the whole question to the Visitors, Archbishops Tenison and Wake. It is to their decision that we turn for an answer to the question as to the condition of All Souls since the Accession of the House of Hanover. As they left the College, so it has, on all substantial points, remained. They were called upon to deal with every portion of the constitution of All Souls. Its prevailing lay character, the Non-residence of the Fellows, and the neglect to under-

take, or rather resume, educational functions, must be laid at their doors.

To say this is not necessarily to blame those Visitors. They found a prolonged history and numerous precedents placed before them, and the question argued by consummate lawyers. The peace of the College seemed to require that it should be left to deal with these matters as it pleased. Nor did they perhaps contemplate the full effect of their decisions, the full consequence of their making it impossible for any Warden to interfere effectively in the future.

Nor, again, could subsequent changes have been easily introduced, had they been ever so desirable. Successive generations of Fellows found an ever-increasing, compact body of custom and precedent raised as a barrier against any organic change after such a settlement as Tenison's and Wake's. Still more, they found themselves part of a system provided for them in a very marked and elaborate manner by Clarke and the other public-spirited men of Queen Anne's reign, a system which took a wholly different direction from that of the education of youth. The restoration, improvement, and enlargement of the College due to those men never included rooms for Undergraduates, or even any revival of the limited educational function developed in Elizabethan and early Stuart times. Such a thing seems never to have been thought of. We meet with no single trace of the idea either in their correspondence or in their bequests. Dr. Clarke, by providing for the educational development of Worcester College, but not for his own, which he yet loved so well, spoke with practical eloquence on the other side. Blackstone's influential career gave permanence and solidity to the plans of his predecessors.

The notion of these men was to elevate and improve what was already existing; to make All Souls a real 'Temple of the Muses,' as they loved to call it; to provide for the pursuit of learning, the cultivation of professional excellence,

the material comfort and elegance of the College life, the occasional enjoyment, at the stated College gatherings, of the Non-resident Fellows. They looked to that future connection between Oxford and London which had so long obtained, to the continued employment of the Fellows in the Public Service and the Bar, as well as in Holy Orders. They looked, in short, to National or Professional usefulness rather than the training of young men. They made no allowance for the change which had deprived the early years of the Fellows of that educational character which was originally a part of the system, and did not care to revive the idea by the adoption of 'Scholars' or other Undergraduates into the Society. That might be very well for other Colleges. All Souls should treat its Fellows after the modern system. At the same time it should make no attempt to fill up the educational void!

Hence it came to pass that All Souls remained *in statu quo* when even New College, which, from its great body of Fellows, had up to our own times excused itself from adopting the general customs of the University, at last threw open its splendid courts for the general education of Undergraduates.

This then is the history of the subject. It was this history with which the University Commissioners of 1852 found themselves confronted. Their Report, and the Evidence they took, have been long before the public. From an inspection of those authoritative sources of information it will be seen that the College had come to be comparatively poor, that its Fellows were receiving considerably less than £100 a year, and that no great improvement could be expected till the system of Fines and Renewals, then pursued in the University, could be gradually superseded by the more profitable system of letting landed property, already general elsewhere. The Warden of that day, it will be observed, reported strongly against any change whatever, however

slight, in the educational direction. The Commissioners viewed the case much as he did. They decided against any organic change, any further alteration than the suppression of a portion of the Fellowships for the foundation of new Professorships; and the Ordinances which followed upon their Report confirmed their recommendation. Ten Fellowships were suppressed to found two 'Chichele Professorships,' one of International Law, and the other of Modern History; the election being placed in the hands of a Board consisting of the Visitor, the Lord Chancellor, the Secretary of State for Foreign Affairs, the Judge of the Admiralty Court, and the Warden of the College. No limitation of time was imposed upon the tenure of Fellowships; but the Fellows were to be elected only from among candidates who had either taken a First Class in one of the Public Examinations, or obtained a University Prize or Scholarship. The functions of the College as a place of 'religion and learning' were to be recognised in their selection, and all other restrictions implied or expressed, such as those relating to age, place of birth, possession of income, obligation to take Holy Orders, or Founder's Kin, were abolished. The Examinations for these Fellowships were to be in 'subjects recognised in the School of Law and Modern History.'

It will therefore be seen that the reform of the Commissioners, rightly or wrongly, proceeded strictly on the lines of Queen Anne's time. The encouragement of a new School in the University which seemed to represent as nearly as possible the ancient direction given to the pursuits of the Fellows, was made the most prominent feature of their scheme. Such eminence in legal and historical acquirements as could be expected from young men, tested both in the University and in the College Examinations, was to be recognised by the prize of a Fellowship; such pursuit of these subjects in after life was to be stimulated as mutual assistance and rivalry, the resources of a great library, and

the unexpressed obligation due to the connection with a great historical institution, could promote. Once more it must be remarked that no opinion is offered here on the question whether all was done to increase the usefulness of the College that might have been done by the Commissioners, or as to any further reforms, whether of the same or a different kind, which may have become desirable since the improvement of the College property has commenced. That would be improper. The object of these pages is to illustrate four centuries of English History by a sketch of the history of one of the numerous factors of English national life. Towards the reform or improvement of that noble inheritance of national life to which the men of to-day have succeeded nothing can be effectually done without a thorough knowledge of the past, and a calm, judicial consideration of the whole of the facts of every case as they bear upon the present and future.

Having thus noticed from the historical point of view the general settlement of the position of All Souls, a very few words will be sufficient as to its history in modern times. It cannot be said that the modes of election described in the last chapter produced many men of genius or great distinction; but it is only fair to remember that the age itself was not fertile in such till towards the close of the last century. Nor have other Colleges very much to boast of during the eighteenth century. The general stagnation of all such institutions, till the influences of the French Revolution and the prolonged wars which followed it affected every class of society, is notorious enough.

But there can be no doubt that such a period of stagnation was peculiarly unfavourable to the growth of those habits of intellectual earnestness and activity which the re-founders of Queen Anne's time fondly anticipated. They did not, they could not, foresee that so many years were to elapse before the old impulses of the seventeenth century were to be revived

in the nation. Men like Blackstone or Young might fulfil their idea, but as a rule it remained unfulfilled. Without educational duties on the one hand, and without on the other producing a crop of men of high distinction who might justify the use made of the Founder's bounty, it was natural that it should come to be regarded from without as a mere Club, open to envy and detraction by the fact of its exclusiveness. Thus whatever ground it afforded for these attacks, it did not obtain even its fair share of credit for such good work as it did in a quiet and unobtrusive way, for the excellent Members of Parliament, county magistrates, clergy, Public Servants, and lawyers it sent forth, or for the high standard of social cultivation and good manners which it presented during an age of coarse and boisterous habits not very far removed from those of the previous century, while they were less relieved by wit and brilliancy.

It is thus that we may account for the extraordinary circulation of that gross libel on Chichele's wisdom which represented the qualification for All Souls Fellowships as simply that candidates should be '*bene nati, bene vestiti, et mediocriter docti.*' It is a remarkable instance of the vitality of a good joke that this clever juxtaposition of certain words separated from their context, and the invention of others, should have come to be generally accepted by people not altogether ill-informed in other matters[1]. The only authority for '*bene nati*' is '*de legitimo matrimonio nati,*'—a common provision in College Statutes! The words '*bene vestiti*' are not found at all, but seem to be taken from the Statute that the Fellows should dress as becomes the

[1] Lord Campbell, writing of All Souls even as late as 1846, makes the following remark :—'By the Statutes of this College those to be elected Fellows are required to be "bene nati, bene vestiti, et mediocriter docti," but in modern times the Fellows have often been distinguished for their learning as well as their social qualities.' Lives of the Lord Chancellors, vol. iv. p. 650.

Clerical Order,—'*sicut eorum honestati convenit clericali*,' and that when in Oxford or its suburbs they should wear the customary Academical dress. The '*mediocriter docti*,' which was the unkindest cut of all, as conveying the idea of an unlearned body of Fellows, was simply obtained by leaving out the remainder of the original sentence, and even for the words themselves there is no authority. The expression is '*grammatica sufficienter, et in plano cantu competenter eruditi*'!

Whether the prevalence of this witticism did really exercise in any degree the influence of the old proverb, and the College, seeing it had obtained a bad name in this respect, grew to be careless as to examinations during the last half of the last century and beginning of the present, can only be matter of conjecture; but, certainly, several years before the Commission of 1852, many men of literary merit or promise were elected, and the writer has been informed on the best living authority that no instance is known of any candidate being rejected who had obtained a First Class in the Public Examinations of the University.

It was at least something that good order and tranquillity were obtained. As far as can be gathered from the College records or contemporary literature, the influence of the College 'Mohocks' of Gardiner's time seems to have died out soon after his death. When political excitement had subsided and the game of baiting the Warden was played out, when Non-residence had become less difficult, and the men who had kept up the agitation were dead, the better influences of the College began to prevail. Hearne remarks in 1726 of one of the Fellows, Sedgwick Harrison, Camden Professor of Ancient History, a great opponent of Gardiner's, and a follower of Tindal's, that his 'interest is wholly sunk in the College, as well as in most other places[1].' We hear of no disturbances, no appeals (other than those as to Founder's Kin above-mentioned), no interferences of any kind. In 1740 and 1744 respectively,

[1] Diary, 114. 20.

the two great friends, Buckler and Blackstone, appeared on the scene, and gave an excellent tone to the College. The former was, in his own way, one of the most useful of its members. The harsh discords of the earlier portion of the century were completely overpowered. Perhaps it was discovered that the 'factions' of past times were not altogether 'gentlemanlike.'

The Wardens who succeeded Gardiner were eminently calculated to preserve the College in a state of tranquillity. Warden Niblett was the first. In accordance with the then existing requirements of the Statutes two names were presented by the College to the Visitor, one of whom he was bound to select. Custom had almost confined that selection to the candidate whom the College really preferred, the other being merely sent up *pro forma*. The Hon. Dr. Bertie was the selection of the Fellows, but Wake appointed Niblett on the ground, it is said, that his competitor, being a man of family, was sure to obtain preferment, while Niblett was destitute of a patron. We may believe that Wake had some better reason than this;—it may have been that Bertie was already Sedleian Professor of Natural Philosophy; perhaps some may have suspected a worse one,—some political bias; at any rate the result justified his selection, for Warden Niblett governed the College successfully for forty years. His successors, Lord Tracy, Dr. Isham, the Hon. Edward Legge, who held the Bishopric of Oxford along with his office, and Warden Sneyd, faithfully followed in his footsteps.

Once indeed, in 1763, we hear of a complaint against a Fellow by the Proctor of that year for harbouring some fugitives from his jurisdiction[1], and this complaint having found its way into print, has formed a precedent in Proctorial law; but it is not of the slightest historical importance. In that year Brownlow North entered the College, the future Bishop of Winchester, and in the next the Hon. Dr. Wenman,

[1] Ashmole Tracts, G. 2253.

Regius Professor of Civil Law and Keeper of the Archives, who makes the eighth Professor of Civil Law from All Souls out of the first fifteen on the University rolls; and not long afterwards Vernon, afterwards Vernon Harcourt, the future Archbishop of York. In 1799 Sir Charles Vaughan was admitted, the future Minister Plenipotentiary to the United States; and in 1802 an ornament to the College, who has left quite lately, even in extreme old age, a sensible gap in the public life of the nation, the Right Honourable Stephen Lushington. Two names of this period may be mentioned together with peculiar reverence, as they bore forth from All Souls the high cultivation for which it was distinguished to the farthest borders of the earth as Missionary Bishops, the Hon. Charles James Stewart and Reginald Heber. The first was admitted in 1795, and became Bishop of Quebec in 1826; the last in 1804, becoming Bishop of Calcutta in 1823.

Heber, the delight of his generation, will always take rank among the best Worthies of All Souls. His brilliant career is too recent, his excellent Life, by his widow, too well known, his memory even yet too fresh among living men, to make this the place for any detailed mention of him. All that need be quoted here from his Life is the passage in which he speaks of All Souls. He at least did not find its atmosphere unfavourable to the highest pursuits. In 1806 he writes:—

'With regard to my studies I am now *post varios casus* set down to them again in good earnest, and I am delightfully situated in All Souls; the very air of the place breathes study. While I write I am enjoying the luxuries of a bright coal fire, a green desk, and a tea-kettle bubbling. What should we have thought of such a situation at Tcherkask or at Taganrog? I have just had a long conversation with Bishop Cleaver about Orders and the course of study and preparation of mind necessary for them[1].'

[1] Life, i. 324.

As a witness from Brasenose of the festivities of the College at the centenary Mallard Feast we shall summon him in the Appendix. Traditions of his genial disposition and fund of elegant and playful humour are still handed down from his contemporaries. In him they were compatible with the earnestness of a martyr and the enthusiasm of the scholar. His excellent edition of Jeremy Taylor was dedicated to Bishop Legge, his Warden, with 'the sincerest wishes for the prosperity of the College of Linacre, of Sheldon, of Codrington, of Wren, of Young, and of Jeremy Taylor.'

The fame of Bishop Stewart is of a different kind. He is only known as one of the most devoted of missionaries who gave up a life of comfort and elegance at home to labour in Canada. With unexampled zeal and devotion he worked for many years in the midst of a poor, scattered population, and then gradually became the means of exciting the lagging interest of England in the work of effectually planting the Church throughout that great colony. In 1826 he was consecrated Bishop of Quebec. He spent his life and whole fortune in attempting to overtake the neglect of past years, to work, in concert with the Society for the Propagation of the Gospel, for the evangelization of the crowds of emigrants who poured forth from England at that date. In some phases of his work he seems to have fulfilled Codrington's idea of a visiting missionary, reporting home the results of his inspection, and pushing the work of the Church on a careful, well-conceived system. He died, quite worn out with his labours, in 1837. Few have left behind a more grateful memory, as several memoirs of him testify. It is unfortunate that the only picture the College possesses of so good a man is an unfinished portrait. It is more happy in the possession of Heber's well-known picture, which is an excellent likeness, and of Chantrey's bust of that admirable man.

One more link which connects All Souls with the literary world at this period must conclude our list. Gutch, the anti-

quarian, was Chaplain to the College during a prolonged life, and made excellent use of his opportunities both in that capacity and as Registrar of the University. His edition of Wood is a monument of his industry, and his Collectanea Curiosa has done good service for the history of All Souls as well as for other fields of literature. Like Tanner, and, in his degree, Proast, he has added lustre to an honourable office.

It may be in connection with some of the names we have mentioned, or it may not, but an interesting fact is observable from an inspection of the College books at the beginning of the present century. From that date the College gifts and charities begin to flow in a most remarkable manner, considering the resources of the institution. Not a call seems to have been disregarded. £200 are granted to equip the Oxford Volunteers, £50 for relief of French prisoners, £100 for the National Society, £300 for the Oxford Lunatic Asylum, large sums for the building and restoring of Oxford churches, for the families of the heroes slain at Waterloo, for 'distressed Irish,' 'distressed manufacturers,' 'promotion of study of mathematics in the University,'—and larger gifts still to the great Church Societies at later dates.

But to say even as much as this is to draw somewhat near our own times! It reminds us that the task is completed! It is agreeable to leave off with a record of the generous habits of the College in generations not very remote. They are in full accordance with all else that is known of the College in those times, and with the official remark of Sir John Taylor Coleridge and his colleagues the Assessors in 1861 to the Visitor on an Appeal, who notices 'the harmony for which this distinguished College has been remarkable.' That upright Judge is not the man to use words without a meaning.

The connection of the College with the Public Service and the Bar has been retained to our own days very much

in the same degree as in previous times, while the clerical element has somewhat diminished. Quite recently All Souls afforded at the same moment to the University a Chancellor and a Vice-Chancellor; while if one of the two University Burgesses had not been obliged to relinquish his post from ill-health just before that date, the College would have had the unprecedented honour of contributing three of the chief public officers to whom the interests of the University are consigned. That burgess, the Right Honourable Sir William Heathcote, was the last of the long list of Members of Parliament for the University who had been Fellows of All Souls, and certainly not the least respected and beloved. With the exception of Christ Church, no other College has contributed so many in the course of its history.

This sketch of the Worthies of All Souls cannot end with a better name than Sir William Heathcote's, of whom to say more, while he is still alive, would be in bad taste. If it is thought that the list here produced should have been still longer, if success has not always been commensurate with the costliness of the machinery, let us not commit the folly of expecting any human invention to be perfect.

No doubt, as the College through most of its existence has not professed to be an educational institution for Undergraduates, it will be judged by the men it has enrolled on its lists, and cannot complain of criticism on this head. At the same time it is fair to remember that every one cannot be distinguished; and that eminent persons in a community are to be taken as in some sort typical of the rest, unless, indeed, they appear only very occasionally, and as it were accidentally, among their contemporaries. Running down our narrative and judging by this test, we have seen All Souls doing as good or better work than other Colleges during its early days, marching in the van of the Renaissance, and rising with the Reformation to the new wants of the age. We have seen it suffering under

kings and nobles as well as under its own corruptions, but gradually emerging, after many a struggle, from those depths. Meanwhile we watched it as second to none in the Laudian revival, and under the banners of Charles the First; then anon the centre of the nascent Royal Society, the chief Oxford home of music, the nursery of the legal studies of its age, and no unworthy partner in the leadership of the literary race ushered in by the Revolution and ending with the reign of Queen Anne. It shares the general somnolence and exhaustion of the succeeding age, which oppressed it at the very time when its modern position had just been definitely established, and when life and vigour were most needed. We have suggested that its good influences may even then have been underrated, and noticed some indications of an increased vitality corresponding to that which the nation itself experienced in the present century. This has been happily quickened—at least in one direction—by the hand of authority in 1852.

Let us not make too much of what has been done, neither too little. The best machinery will sometimes run down, and require winding up or repair. If it is thought that sufficient time has been given for the last reform to develop itself, and that further measures are required, these pages may well conclude with the expression of an earnest hope that such measures of reform may not be unworthy of the past history of the College, not such as its great Founder would disapprove if he were still here to adapt his institution to modern wants, not such as to be inconsistent with old Sir Anthony Sherley's notion of the 'endes for which men are brought forth uppon the earth, the principallest of which is the glory of GOD, and then to better the world[1]'!

[1] p. 100.

APPENDIX I.

Codrington College, Barbadoes.

(pp. 338–345).

Codrington's bequest reached the Society for the Propagation of the Gospel at the right moment. In 1710 they were casting about for some means of training missionaries for the Colonies, and the Bishop of Man had proposed a plan for 'breeding up young persons' for this purpose in his own island; but the expense deterred the Society. Just at this moment the death of their benefactor occurred; and the very thing they wanted was found to be provided for in his Will. It was the first donation of importance they had received, and absolutely the first in land; great were the rejoicings of the 'wise and good men' who directed their affairs.

But the difficulties, as might be supposed, in utilising the bequest were also great. The negro slaves were an essential part of the gift; but what was to be done with them? No time was lost by the Society in sending out orders that 'their slaves should be used with greater humanity and tenderness than is commonly practised by planters[1];' and a Catechist goes forth at once for their instruction. 'If all the slaves in America,' said Bishop Fleetwood, 'were to continue infidels for ever, yet ours alone must needs be Christians.' Disputes arose also on the part of Codrington's heir, and in consequence of the unwise conduct of the agents

[1] Journal of S. P. G., Feb. 16, 171½.

of the S. P. G.[1]; and the colonists were suspicious into the bargain. On the other hand, Queen Anne helped the Society to the utmost; she gave them a 'Royal licence for the foundation,' and the services of Her Majesty's ships were actively rendered in felling and transporting timber from the adjacent islands for building the College[2]. The Crown in those days threw in its lot with a great scheme of missionary enterprise!

By 1714 the Society is able to state that a 'perpetual seminary is erecting on those estates which General Codrington like Araunah, as a king, gave to the Society for the sake of the King his master, and of God, the King of Kings.' A scheme of Professors and Teachers of the future College was drawn out in 1717. The inhabitants of the Islands were to form a native Ministry. The income of the Headship of the College was to form part of the provision for one of two West Indian Bishoprics, and two more Bishoprics were to be formed for the American Continent. To effect this arrangement as to Bishops, a Petition was drawn up to George the First; but the effects of the Queen's death were now apparent enough; no attention could be obtained for such a request at the new Court.

If the effort could but have been made three years earlier, how different might have been the course of events both in East and West! Could Bishops have been planted along with the rise of the American Colonies the people of that Continent, organised ecclesiastically as in England, might have grown up too much in union with the mother country to have desired separation, even after abundant provocation from home; and, if separation came, it might have been of a very different kind from that which took place. But as we cannot know all, such speculations are useless. It remains that the Society in their proposed application of Codrington's bequest were just a century in advance of their age!

[1] Wake MSS., Ch. Ch. Lib., vol. xv. [2] Ibid.

Checked and chilled by the growing coldness of the nation in religious matters, and opposed in many directions, it was not till 1742 that the Society had 'the long-wished-for satisfaction to acquaint the public that they have actually begun to settle the College in Barbados.' The Chapel was now opened, and a considerable work was done in the education of West Indian boys, many of whom became the clergy of the Islands, and a good example was set in the care of the little Christian colony of negroes. But hurricanes on two different occasions almost destroyed the original building; and various misfortunes prevented the establishment of a Training College for Missionaries,—till our own day.

At length a movement took place. Just as Codrington's age witnessed a reaction from the carelessness of the preceding period, a reaction which showed itself in an awakened zeal for the welfare of the West Indian colonists and heathen, so the movement of our own century, succeeding an equally unsatisfactory period, found almost its earliest expression in the revival of religious activity in the West Indies. It was mainly due to the genius and energy of Bishop Coleridge. Under his fostering care, and that of Bishop Parry, and under the guidance of Principals Pinder and Rawle, the Training College of Christopher Codrington was at last instituted. The College assumed, as he and they desired, something of 'the character of a University.' After 1830 it gradually began to attain the position of the Alma Mater of the West India Clergy; more than ninety of whom were trained there between that date and 1851. Not long ago the Christian world was astonished by the vigour with which an independent mission was planted from Codrington College on the West Coast of Africa. The story of the Pongas forms one of the romances of missionary chivalry. The school for boys is also flourishing, though no longer the one object of the institution.

Even this brief sketch cannot be concluded without calling attention once more to the remarkable sagacity of the Founder of Codrington College. Success attends the institution as soon as it is worked in the form, or nearly in the form[1], which he contemplated from the first. The experience of a whole century in using his bequest only for a school of boys,—which he did not contemplate, since by itself it would never be made successful,—justifies on the other side the foresight with which he acted. If the age which succeeded that of Queen Anne, by failing to take up the work committed to it, has much to answer for, it at least proved that the previous period produced a man capable of laying great foundations for the future.

[1] See p. 339.

[redacted]

APPENDIX II.

The All Souls Mallard.

As nothing has been admitted into the preceding pages which is not either historical or already public, Murray's 'Handbook for Oxford' must be taken as an authority that the ceremony of singing the ancient song of 'the Mallard' at the All Souls Gaudy had not yet died out when the last edition was printed. The local guide-books also mention the custom; and thus a few words on its origin seem necessary.

The reader will have observed a notice of it as far back as 1632. Nearly two centuries and a half ago Archbishop Abbot reproves the College for an outrageous riot 'under pretence of a foolish Mallard.' This is the first mention we have of it. Fifty years later Finch, the future Warden, was an enthusiastic actor in a debauch to which the ceremony led. Thus far history. Tradition refers it to the foundation of the College,—to the story of an overgrown Mallard being found in a drain when the foundations were laid. There is of course no reason why a ceremony of which we only first hear by an accidental letter in the early part of the seventeenth century may not date from a much earlier period. But be this as it may, the actual 'Song of the Mallard' does not seem to be of any greater antiquity than the historical notices above mentioned. This may be gathered partly from internal and partly from external evidence.

In the Tanner MSS.[1] will be found the old copy of the song which follows, from which have been omitted in this place two verses, sung no doubt in early times, but not found in modern copies. The important point is that at the back of the copy is a note in Anthony Wood's hand,—execrably written, but doubtless his, and found among his papers by Tanner, his executor. As Tanner enters the copy of the song in his book with this note, and makes no comment of his own, though he, as a Fellow of the College, must have frequently assisted at the ceremony, and would be sure to have an opinion as to the antiquity of it, he may reasonably be held to endorse what follows. It may be added that Dr. Buckler, in his coarse but humorous 'Vindication of the Mallard,' reproachfully refers to Tanner as one who might have thrown light on the subject, but omitted to do so. 'He was frequently heard to express great veneration for the Mallard.' He amusingly makes it a touchstone of orthodoxy. 'The first marks of infidelity which shewed themselves in the famous Dr. Tindal were his speaking disrespectfully of the Mallard.'

THE MALLARD SONG.

'The Griffin, Bustard, Turkey and Capon
Lett other hungry mortals gape on,
And on their bones with stomach fall hard,
But lett All Souls men have their Mallard.

The Romans once admired a gander
More than they did their best Comander,
Because hee saved, if some don't fooll us,
The place named from the scull of Tolus.

The poets faind Jove turnd a Swan,
But lett them prove it if they can;
To mak't appeare it's not att all hard,
Hee was a swapping, swapping Mallard.

[1] Vol. 306. fol. 378.

Then lett us drink and dance a Galliard
In the remembrance of the Mallard,
And as the Mallard doth in poole
Lett's dabble, dive, and duck in bowle.

The refrain is absent from this copy, but in all others which are known the following words occur at the end of each verse:—

'O by the blood of King Edward,
O by the blood of King Edward,
It was a swapping, swapping Mallard!'

The third line of the third verse was also much improved quite a century and a half ago, as follows:—

'As for our proof it's not at all hard.'

Wood's note is as follows:—

'14 Jan. at night, used formerly to be called All Souls Mallard night, that is, I suppose, no other than the Feast night. For that day those candidates they had chosen on All Souls day going before were admitted, and that day or soon after the Probationers for the year before going were admitted Fellows. Those that were thus to be admitted Fellows were brought from their chambers in the middle of the night (having neither gown or band on) sometimes on a bent staff, and so led in the Hall and about the College, before whom some of the Junior Fellows (sometimes disguised) would sing a song in praise of the Mallard. This following I take to be made much about the restauration of Ch. 2.'

The handwriting and spelling of the song is doubtless about the period assigned to it by Wood in this note, though the note itself was written later. It will be seen[1] that among the dishes served up in the College Hall in 1618 two of those considered worthy of a Feast were Capon and Bustard, dishes which find a place, along with the fabulous

[1] p. 154.

Griffin, in the first line of the song; but the Bustard did not disappear from table till later than this, so that it does not afford us much clue. The structure of the song would certainly suggest a date quite as early as the 'Restauration,' if not as early as the jovial days of Elizabeth or James the First.

But though the existing song may not be older than the historical notice of the ceremony, it is quite possible that there was 'a song in praise of the Mallard' much earlier; and it is possible that the custom of singing 'cantilenæ,' which the Statutes, as we have seen, encouraged on Feast Days, and which, after the Reformation, doubtless fell into disuse in their ancient form, may have led the way for a modernised drinking-song in honour of an ancient tradition.

The most mysterious part of the song points to antiquity. How came 'the blood of King Edward' to be introduced into its refrain? No one has yet ventured to interpret this mock-solemn oath. Pointer, in the first draught of his Oxoniensis Academia (now in the Bodleian Library), wrote 'Edward IV, who refounded the College,' against the word; but he subsequently erased it. It is just possible that King might be intended. His name comes down to us in popular ballads, but it is scarcely likely that the King who deposed and perhaps murdered the Co-founder and godson of the Founder,—and the Founder was always held in the highest reverence by the College,—should be thus noticed only because he restored, in return for a sum of money, what he had unjustly seized. The murder of his son, Edward the Fifth, might seem to afford a more likely clue, and the Lancastrian College might recognise in this manner the retribution which had at last overtaken the enemies of their Founder's dynasty. But this seems almost too ingenious. Either Henry the Sixth or Edward the Confessor might well have been introduced as popular King or Saint, but it is neither 'Saint Edward'

nor 'King Henry.' Edward the Sixth was the last person likely to be intended. We can see no particular reason for Edward the Second or Edward the Third, except that the former was, like Edward the Fifth, murdered; but why should the College commemorate him? We come, by a process of exhaustion, to Edward the First, whose exploits and death form the subject of several historical 'cantilenæ,' one of which is given by Warton in his History of Poetry. The 'good King Edward' was to Englishmen of the fourteenth and fifteenth centuries the embodiment of all that was kingly, knightly, noble, and national. Scotch historians had not as yet blasted his fame, nor Humes and Hallams echoed their slanders. His name, introduced into some early form of the song, when it may well have been the natural one in the common oaths and asseverations of the day, may have been perpetuated in the modern form without any one exactly knowing why.

However, this can be only conjecture. No such oath is found on record in medieval times, and there may be no real foundation for any very great antiquity in the song.

Hearne also gives a copy of the song, slightly modernised, and the refrain differing from the usual form by the omission of the form of an oath:—'O the bloude of King Edward.' This much distressed the antiquarian. He remarks in a note:—'It should be "O' by the Bloude, &c." 'Twas changed by the ffanaticks in the late Rebellion, who forsooth were enemies to oaths[1].' But tempting as the subject must have been to Hearne, he makes no attempt at solving any of the problems connected with the ceremony.

It is more to our purpose to remark that the ancient tradition about the discovery of the Mallard is thought to be so far borne out by the nature of the ceremony at an early date, that it consisted of a pretended search for the

[1] Rawlinson MSS. C. 876. 59.

creature in different parts of the College, even on the leads, by a torch-bearing procession, headed by an elected 'Lord Mallard,' and six officers appointed by him 'with white staves in their hands and medals hanging upon their breasts, tied with large blue ribband. Upon the medals is cut on the one side the Lord Mallard with his officers, and on the other the Mallard as he is carried upon a long pole.' The Senior Fellows had to pay a crown by way of forfeiture for not assisting at the ceremony, and the orgies lasted 'till daybreak.' This is from 'an ancient MS.,' which describes the orgies with great minuteness, and will be found in Alderman Fletcher's handwriting in that antiquarian's illustrated copy of Gutch's Wood, in the Bodleian. So gross an abuse of what may have been an innocent old ceremony smacks strongly of the Stuart period. It probably, like 'corrupt resignations,' defied the hand of Visitors and Wardens till the improvement of manners reduced it to the mere ceremonious singing of the song, by way of not parting altogether with antiquity, at the Gaudy on All Souls' Day.

The question of the day on which the ceremony took place is itself a curious one. Wood, it will be observed, speaks of January 14, and gives a good reason for the selection, but the 'ancient MS.' says 'the time is always within a night or two of All Souls.' Hearne, on the other hand, agrees with Wood. Writing on January 18, 1722, he says:—

'Last Monday the 14th inst. (the 14th being always the day) was All Souls College Mallard, at which time 'tis usual with the Fellows and their friends to have a supper and to sit up all night drinking and singing. Their song is the Mallard, and formerly they used to ramble about the College with sticks and poles, &c., in quest of the Mallard, and they had a Lord of the Mallard, but this hath been left off many years. They tell you the custom arose from a swinging old Mallard that had been lost at the foundation of the College and found many years after in the sink[1].'

[1] Diary, 95. 98.

Elsewhere he describes the legend thus:—

'The Mallard was found in the sink when the workmen were repairing it. It had continued there for several years, I think almost from the first foundation of the College for about 20 years current or more[1].'

Bishop Heber, who was soon afterwards to become a Fellow of All Souls, and so to assist at subsequent Gaudies, witnessed the following scene in his second term of residence at Brasenose, and thus graphically describes it:—

'Oxford, Jan. 15, 1801.

I write under the bondage of a very severe cold which I caught by getting out of bed at four in the morning to see the celebration of the famous All Souls mallard feast. All Souls is on the opposite side of Ratcliffe Square to Brazen Nose, so that their battlements are in some degree commanded by my garret. I had thus a full view of the *Lord Mallard* and about forty fellows in a kind of procession on the library roof, with immense lighted torches, which had a singular effect. I know not if their orgies were overlooked by any uninitiated eyes except my own; but I am sure that all who had the gift of hearing within half a mile, must have been awakened by the manner in which they thundered their chorus, "O, by the blood of King Edward." I know not whether you have any similar strange customs in Cambridge, so that perhaps such ceremonies as the All Souls' mallard, the Queen's boar's head, &c. will strike you as more absurd than they do an Oxford man; but I own I am of opinion that these remnants of Gothicism tend very much to keep us in a sound consistent track; and that one cause of the declension of the foreign universities was their compliance in such points as these with the variation of manners[2].'

The tradition of the College is that the elaborate ceremonial Heber witnessed in 1801, and which Hearne reports in 1722 as having been 'formerly used,' has, in modern times, only taken place once in the first year of each century. Thus January 14, 1801, would be the proper day according to the old style; and the totally independent authority of Wood,

[1] Rawlinson MSS. C. 876. 59.

[2] Life of Heber, by his Widow, p. 25.

Hearne, and Heber,—to which Tanner by silence gives consent,—must be taken as superior to that of the anonymous 'ancient MS.' of Alderman Fletcher. The medal struck upon the occasion of the ceremonial in 1801 exactly answers to the description given above. The Lord Mallard and his six officers are represented in gowns and full-bottomed wigs, with staves in their hands; while on the obverse is seen the Mallard-bearer with a staff, on the flat head of which the Mallard stands in pomp. Why the beginning of a century should be the year chosen to commemorate an event supposed to have taken place when the College was founded in 1437, has never yet been explained.

Indeed there are so many mysteries about this Mallard that, even at the risk of being classed by some future Buckler with Matthew Tindal, the writer of these pages cannot forbear to offer a rationalistic interpretation of his own, or rather a joint one of his own and a learned officer of the Bodleian, both being simultaneously struck with the idea. There is an impression of a seal given in the said Alderman Fletcher's copy of Anthony Wood which was the cause of the temptation. This seal represents a griffin, a creature with four legs, outstretched wings, a long curly tail, and vulture-beak, half-beast, half-bird. The legend is this :— S. Guil. Malardi clici or (when expanded), Sigillum Guillielmi Malardi Clerici. The character of the letters is of the thirteenth century. Underneath this seal Alderman Fletcher has written :—'Impression of a seal found by some workmen in digging a drain on the site of All Souls College eastward of the Warden's lodgings.' There is no hint that it could be supposed to have anything to do with the legendary Mallard; nor perhaps has it. But in the entire absence of all authority for the discovery of a Mallard in a drain when the College was founded, may we not imagine it possible that this seal, found in a drain, of a certain Malard, clerk, with a nondescript animal for a device, may

have prompted some wit of the College to invent a real Mallard found in a drain, and make a song upon it in which a griffin is the first word? The antiquity of the letters may have suggested the name of Edward the First, the great king of the thirteenth and fourteenth centuries, as said above. Thus we could account for our hearing nothing of the legend till the seventeenth century—a somewhat suspicious fact in itself. In the beginning of that, or end of the preceding age, Warden Hoveden was digging about plentifully, 'eastward of the Warden's lodgings.' The structure of the song would fit in with that late Elizabethan or Jacobean period.

At any rate, if any one can give a better guess let him try his hand!

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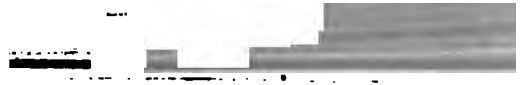

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